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House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore (Mr. DRIEHAUS).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 17, 2009.

I hereby appoint the Honorable STEVE DRIEHAUS to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2009, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes.

HOUSEHOLD FOOD SECURITY IN THE UNITED STATES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, yesterday the U.S. Department of Agriculture released the annual Household Food Security in the United States report for 2008. The findings of this report are nothing short of alarming and frightening. This report found the highest level of food insecurity since the study began in 1995. While just over 85 percent of U.S. households were food secure in 2008, the bad news, the fright-

ening news, is that 14.6 percent, 17 million households, were food insecure in 2008. This means that at some point during 2008, these households "had difficulty providing enough food for all their members due to a lack of resources."

According to the USDA, over 49 million people lived in those 17 million households. In other words, Mr. Speaker, according to this report, 49 million Americans went hungry in 2008. We should be ashamed of ourselves. In the richest, most prosperous nation in the world, a country where we have the means to end hunger, a country where we have the food readily available, we continue to allow 49 million people to be hungry in this country. And if that weren't bad enough, food insecurity is likely to get worse, not better, next year.

Mr. Speaker, this report also found that 17 million children, more than one in five, went without food at some point during the year. That's an increase of 5 million children over the previous year. Even worse, the number of children living in very low food insecure households—the hungriest of the hungry—rose from 323,000 in 2007 to 506,000 in 2008. That means that almost 2 million children are among the hungriest of the hungry in America.

Race and gender are also factors. About 37 percent of single mothers struggled for food in 2008. And more disturbing, more than one in seven said that someone in their household had been hungry. The report found that African Americans and Hispanics were more than twice as likely as whites to report food insecurity at home.

Mr. Speaker, we can do better. We must do better. I want to thank President Obama and Secretary Vilsack for their dedication to combating hunger in America. Secretary Vilsack personally released this report yesterday, and President Obama released a statement, two actions that the previous adminis-

tration declined to make. I don't say this to place blame, but rather to say that admitting there is a problem is the first step towards addressing that problem. President Obama has committed his administration to ending child hunger by 2015. That's something we can and should do. Continuing to raise awareness of this issue is critical, no matter how bad the statistics may be.

Mr. Speaker, we are fortunate to have in place a safety net system that prevents more people from going without food. Undoubtedly, even more Americans would go hungry if it weren't for SNAP—formerly known as food stamps—WIC, school and summer meals, and the other Federal anti-hunger programs.

Later this week, I will be introducing legislation that will expand these programs to better combat hunger in the United States. The End Childhood Hunger by 2015 Act will not only expand the purchasing power of SNAP, but it will increase the number of people who are eligible for these Federal anti-hunger programs. For example, under this bill, every child who goes to school, regardless of income, will receive a quality, nutritious breakfast and lunch. We know that children learn better and develop properly when they eat nutritious meals. Unfortunately, many children don't have access to nutritious meals either at home or at school. We provide textbooks for all children. Why shouldn't we provide at least two nutritious meals too?

Now is the time for us to refocus our energy on ending hunger once and for all, and it will require Presidential leadership. I introduced legislation calling for a White House Conference on Food and Nutrition. I will be working with Speaker PELOSI, Chairman PETERSON and Chairman MILLER to pass this important legislation, and I encourage my colleagues to cosponsor H.R. 2297.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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Mr. Speaker, we may not be able to end all war and disease in our lifetimes, but we can end hunger if we muster the political will to do so. This report should be a rallying point report for Congress and the administration. While this Congress focuses on the Nation's economic recovery and job creation, we must not forget about those who are going without food. Let's commit ourselves once and for all to ending hunger as we know it in America.

I would like to insert into the RECORD the statement by President Obama and news articles from The New York Times and Washington Post on the release of this report.

THE WHITE HOUSE,
OFFICE OF THE PRESS SECRETARY,
Washington, DC, November 16, 2009.

STATEMENT BY THE PRESIDENT ON THE RELEASE OF THE ANNUAL HOUSEHOLD FOOD SECURITY REPORT

As American families prepare to gather for Thanksgiving, we received an unsettling report from the U.S. Department of Agriculture that found that hunger rose significantly last year. This trend was already painfully clear in many communities across our nation, where food stamp applications are surging and food pantry shelves are emptying.

It is particularly troubling that there were more than 500,000 families in which a child experienced hunger multiple times over the course of the year. Our children's ability to grow, learn, and meet their full potential—and therefore our future competitiveness as a nation—depends on regular access to healthy meals.

My Administration is committed to reversing the trend of rising hunger. The first task is to restore job growth, which will help relieve the economic pressures that make it difficult for parents to put a square meal on the table each day. But we are also taking targeted steps to prevent Americans from experiencing hunger. Earlier this year, we extended help to those hit hardest by this economic downturn by boosting SNAP benefits. And Secretary Vilsack is working hard to make sure eligible families are able to access those benefits as well as the School Lunch and Breakfast Program. In addition, a bill I signed into law last month invests \$85 million in new strategies to prevent children from experiencing hunger in the summer.

Hunger is a problem that we can solve together, and I look forward to working with Congress to pass a strong child nutrition bill that will help children get the healthy meals they need to grow and succeed—and help keep America competitive in the decades to come.

The full USDA Household Food Security report can be viewed here: www.ers.usda.gov/features/householdfoodsecurity/

[From the New York Times, Nov. 17, 2009]

HUNGER IN U.S. AT A 14-YEAR HIGH

(By Jason DeParle)

WASHINGTON—The number of Americans who lived in households that lacked consistent access to adequate food soared last year, to 49 million, the highest since the government began tracking what it calls "food insecurity" 14 years ago, the Department of Agriculture reported Monday.

The increase, of 13 million Americans, was much larger than even the most pessimistic observers of hunger trends had expected and cast an alarming light on the daily hardships caused by the recession's punishing effect on jobs and wages.

About a third of these struggling households had what the researchers called "very low food security," meaning lack of money forced members to skip meals, cut portions or otherwise forgo food at some point in the year.

The other two-thirds typically had enough to eat, but only by eating cheaper or less varied foods, relying on government aid like food stamps, or visiting food pantries and soup kitchens.

"These numbers are a wake-up call for the country," said Agriculture Secretary Tom Vilsack.

One figure that drew officials' attention was the number of households, 506,000, in which children faced "very low food security": up from 323,000 the previous year. President Obama, who has pledged to end childhood hunger by 2015, released a statement while traveling in Asia that called the finding "particularly troubling."

The ungainly phrase "food insecurity" stems from years of political and academic wrangling over how to measure adequate access to food. In the 1980s, when officials of the Reagan administration denied there was hunger in the United States, the Food Research and Action Center, a Washington advocacy group, began a survey that concluded otherwise. Over time, Congress had the Agriculture Department oversee a similar survey, which the Census Bureau administers.

Though researchers at the Agriculture Department do not use the word "hunger," Mr. Obama did. "Hunger rose significantly last year," he said.

Analysts said the main reason for the growth was the rise in the unemployment rate, to 7.2 percent at the end of 2008 from 4.9 percent a year earlier. And since it now stands at 10.2 percent, the survey might in fact understate the number of Americans struggling to get adequate food.

Rising food prices, too, might have played a role.

The food stamp rolls have expanded to record levels, with 36 million Americans now collecting aid, an increase of nearly 40 percent from two years ago. And the American Recovery and Reinvestment Act, passed last winter, raised the average monthly food stamp benefit per person by about 17 percent, to \$133. Many states have made it easier for those eligible to apply, but rising applications and staffing cuts have also brought long delays.

Problems gaining access to food were highest in households with children headed by single mothers. About 37 percent of them reported some form of food insecurity compared with 14 percent of married households with children. About 29 percent of Hispanic households reported food insecurity, compared with 27 percent of black households and 12 percent of white households. Serious problems were most prevalent in the South, followed equally by the West and Midwest.

Some conservatives have attacked the survey's methodology, saying it is hard to define what it measures. The 18-item questionnaire asks about skipped meals and hunger pangs, but also whether people had worries about getting food. It ranks the severity of their condition by the number of answers that indicate a problem.

"Very few of these people are hungry," said Robert Rector, an analyst at the conservative Heritage Foundation. "When they lose jobs, they constrain the kind of food they buy. That is regrettable, but it's a far cry from a hunger crisis."

The report measures the number of households that experienced problems at any point in the year. Only a "small fraction" were facing the problem at a given moment. Among those with "very low food security," for instance, most experienced the condition

for several days in each of seven or eight months.

James Weill, the director of the food center that pioneered the report, called it a careful look at an underappreciated condition. "Many people are outright hungry, skipping meals," he said. "Others say they have enough to eat but only because they're going to food pantries or using food stamps. We describe it as 'households struggling with hunger.'"

[From The Washington Post, Nov. 17, 2009]

AMERICA'S ECONOMIC PAIN BRINGS HUNGER PANGS

(By Amy Goldstein)

The nation's economic crisis has catapulted the number of Americans who lack enough food to the highest level since the government has been keeping track, according to a new federal report, which shows that nearly 50 million people—including almost one child in four—struggled last year to get enough to eat.

At a time when rising poverty, widespread unemployment and other effects of the recession have been well documented, the report released Monday by the U.S. Department of Agriculture provides the government's first detailed portrait of the toll that the faltering economy has taken on Americans' access to food.

The magnitude of the increase in food shortages—and, in some cases, outright hunger—identified in the report startled even the nation's leading anti-poverty advocates, who have grown accustomed to longer lines lately at food banks and soup kitchens. The findings also intensify pressure on the White House to fulfill a pledge to stamp out childhood hunger made by President Obama, who called the report "unsettling."

The data show that dependable access to adequate food has especially deteriorated among families with children. In 2008, nearly 17 million children, or 22.5 percent, lived in households in which food at times was scarce—4 million children more than the year before. And the number of youngsters who sometimes were outright hungry rose from nearly 700,000 to almost 1.1 million.

Among Americans of all ages, more than 16 percent—or 49 million people—sometimes ran short of nutritious food, compared with about 12 percent the year before. The deterioration in access to food during 2008 among both children and adults far eclipses that of any other single year in the report's history.

Around the Washington area, the data show, the extent of food shortages varies significantly. In the past three years, an average of 12.4 percent of households in the District had at least some problems getting enough food, slightly worse than the national average. In Maryland, the average was 9.6 percent, and in Virginia it was 8.6 percent.

The local and national findings are from a snapshot of food in the United States that the Agriculture Department has issued every year since 1995, based on Census Bureau surveys. It documents Americans who lack a dependable supply of adequate food—people living with some amount of "food insecurity" in the lexicon of experts—and those whose food shortages are so severe that they are hungry. The new report is based on a survey conducted in December.

Several independent advocates and policy experts on hunger said that they had been bracing for the latest report to show deepening shortages, but that they were nevertheless astonished by how much the problem has worsened. "This is unthinkable. It's like we are living in a Third World country," said Vicki Escarra, president of Feeding America, the largest organization representing food banks and other emergency food sources.

"It's frankly just deeply upsetting," said James D. Weill, president of the Washington-based Food and Action Center. As the economy eroded, Weill said, "you had more and more people getting pushed closer to the cliffs edge. Then this huge storm came along and pushed them over."

Obama, who pledged during last year's presidential campaign to eliminate hunger among children by 2015, reiterated that goal on Monday. "My Administration is committed to reversing the trend of rising hunger," the president said in a statement. The solution begins with job creation, Obama said. And he ticked off steps that Congress and the administration have taken, or are planning, including increases in food stamp benefits and \$85 million Congress just freed up through an appropriations bill to experiment with feeding more children during the summer, when subsidized school breakfasts and lunches are unavailable.

In a briefing for reporters, Agriculture Secretary Tom Vilsack said, "These numbers are a wake-up call . . . for us to get very serious about food security and hunger, about nutrition and food safety in this country."

Vilsack attributed the marked worsening in Americans' access to food primarily to the rise in unemployment, which now exceeds 10 percent, and in people who are underemployed. He acknowledged that "there could be additional increases" in the 2009 figures, due out a year from now, although he said it is not yet clear how much the problem might be eased by the measures the administration and Congress have taken this year to stimulate the economy.

The report's main author at USDA, Mark Nord, noted that other recent research by the agency has found that most families in which food is scarce contain at least one adult with a full-time job, suggesting that the problem lies at least partly in wages, not entirely an absence of work.

The report suggests that federal food assistance programs are only partly fulfilling their purpose, although Vilsack said that shortages would be much worse without them. Just more than half of the people surveyed who reported they had food shortages said that they had, in the previous month, participated in one of the government's largest anti-hunger and nutrition programs: food stamps, subsidized school lunches or WIC, the nutrition program for women with babies or young children.

Last year, people in 4.8 million households used private food pantries, compared with 3.9 million in 2007, while people in about 625,000 households resorted to soup kitchens, nearly 90,000 more than the year before.

Food shortages, the report shows, are particularly pronounced among women raising children alone. Last year, more than one in three single mothers reported that they struggled for food, and more than one in seven said that someone in their home had been hungry—far eclipsing the food problem in any other kind of household. The report also found that people who are black or Hispanic were more than twice as likely as whites to report that food in their home was scarce.

In the survey used to measure food shortages, people were considered to have food insecurity if they answered "yes" to several of a series of questions. Among the questions were whether, in the past year, their food sometimes ran out before they had money to buy more, whether they could not afford to eat nutritionally balanced meals, and whether adults in the family sometimes cut the size of their meals—or skipped them—because they lacked money for food. The report defined the degree of their food insecurity by the number of the questions to which they answered yes.

ANIMAL WELFARE IS IMPORTANT FOR THE ENTIRE NATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, it seems the issues that face Congress fall into two categories: the issues that are so great, so expensive, so contentious, so complex that they seem almost beyond our ability to influence—war and peace, the economy, climate change and, more recently, health care—too big and too controversial for effective, quick, meaningful congressional action. The other category seems to be the simple and the mundane, almost too routine—housekeeping, like renaming a post office.

The truth is, we pursue both because they're an important part of our job and are important to the American public. We're not going to give up on the big issues of the day no matter how complex, controversial and frustrating because, after all, they are the big issues of the day. That's why we're here when even modest impact can have a huge ripple effect on lives around the world, the safety of Americans, protecting the public Treasury and our soldiers. A post office may seem mundane and trivial to some, but to the family of that fallen hero and community, it's very important indeed, as it is to all Americans who honor and respect that sacrifice. There is a reason for these items, low cost but high impact. Then there are vast numbers of issues that are sort of in between. Animal welfare is often put in that category, seemingly at times unimportant or trivial, tangential—except, of course, when it has a devastating impact on human health, safety and environmental balance.

I was recently touring the Everglades with my colleague DEBBIE WASSERMAN SCHULTZ. Part of the briefing materials dealt with the problem of up to 100,000 pythons that started out as pets or exotic curiosities and ended up in that environment. Pets, farm animals, even whole alligators have been attacked and ingested. Earlier this summer, an infant in its crib was strangled by a python. Too expensive? Secondary? What's the price of that baby's life? And how much are we going to try to spend to reclaim the Everglade habitat from tens of thousands of pythons that have been described as the most lethal killing machine ever?

Earlier this year, I had legislation that overwhelmingly passed this House to ban the interstate transport of primates. It had been derided by one of my colleagues as a "monkey bite bill," ironically at just the same time a woman in Connecticut had her face ripped off by a neighbor's pet chimpanzee. I don't use that term metaphorically. Her face was literally ripped off. Indeed, Mr. Speaker, the woman who was so horribly disfigured had the courage to take her story and her mangled face to the public on The

Oprah Winfrey Show this week. I simply cannot bring myself to display the picture on the floor of the House, but millions of viewers saw the tragic evidence for themselves.

It's too late for this woman and her family, but it's not too late for the other body to act so that we can make events like this less likely. It's a symbol of the dysfunctionality of the other body that one Member—ironically a doctor, of all people—has put a hold on this legislation, refusing to allow the Senate to even consider it, and inexplicably, the other body goes along. The reason, we're told, is cost. The Senator is concerned about cost. Well, what is the cost to a woman whose eyes were torn out of her head so she couldn't see her daughter on prom night? What is the cost of the unbelievable reconstructive surgery, taking flesh from her leg to try to replace part of the missing face?

Mr. Speaker, animal welfare is about much more than concern for God's creatures. It's about human welfare. It's about environmental balance. And yes, to the good doctor from Oklahoma, it's about saving money.

The millions of Americans who watched The Oprah Winfrey Show saw the tragic case and its consequences. They should ask themselves why their Senators are not speaking out, why the other body is not passing this simple bill that can have such significant consequences. It may not change the world, but if it prevents just a few cases like this, it will be another example of simple legislation that we cannot afford not to pass.

SUPPORT FOR THE AFFORDABLE HEALTH CARE FOR AMERICA ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. CONNOLLY) for 5 minutes.

Mr. CONNOLLY of Virginia. I rise today to commend those who have endeavored to improve the provision of quality, affordable health care for all Americans and to refute those who use scare tactics to derail essential health insurance reform.

During the more than 12 hours of debate on the House floor on November 7, we heard a number of speeches from some forecasting various doom and gloom scenarios. Some of the material focused more on scaring the American public than on presenting actual facts. We heard preposterous stories of death panels and prisons, denial of care and dramatic cuts in services, but the purveyors of fear ignored the hundreds of groups across the Nation that saw through the scare tactics and who support responsible health insurance reform. Those groups aren't driven by partisan ideology. They're focused on the well-being of their members. I would like to highlight just a few.

The scare tactic said this bill will harm seniors. In actuality, the Affordable Health Care for America Act will help seniors by closing the Medicare

part D prescription drug loophole that currently causes many seniors to pay thousands of dollars out of pocket, and it will help keep Medicare solvent and able to continue paying benefits well into the future. Without reform, Medicare part A will be insolvent by 2017. If we do nothing, Medicare hospital reimbursements will be cut by 2017. Without reform, premiums for Medicare part D doctor reimbursements are projected to increase an average of 8.5 percent every year through 2013. That's why the National Committee to Preserve Social Security and Medicare supports this bill. The Alliance for Retired Americans and the Center for Medicare Advocacy both support this bill. The National Council on Aging and the Medicare Rights Center both support this bill, as does the AARP.

The scare tactic said this bill would harm the ability of caregivers to provide lifesaving care. In actuality, doctors and medical providers know that this bill will preserve their ability to properly treat their patients and be fairly compensated. That's why the American Academy of Family Physicians and the Federation of American Hospitals support this bill. The American Academy of Physicians Assistants and the American College of Surgeons support this bill. The American Nurses Association and the American College of Physicians support this bill. And the American Medical Association supports this bill.

The scare tactic says this bill will deny care to those with life-threatening conditions, like cancer. In actuality, the Affordable Health Care for America Act will safeguard those with previous existing medical conditions and those in need of lifesaving procedures. That's why the American Heart Association and the American Stroke Association support this bill. The American Cancer Society's Cancer Action Network and the American Diabetes Association both support this bill. The Consortium for Citizens With Disabilities and the National Alliance on Mental Illness both support this bill. The National Breast Cancer Coalition and the Depression and Bipolar Support Alliance both support this bill, and the Paralyzed Veterans of America support this bill.

The scare tactic said this will wreck the economy. In actuality, this bill will help businesses—especially small businesses—control the spiraling cost of health care in America. Mr. Speaker, the Business Roundtable recently released a report that found that without reform, by 2019, employer-based health insurance payments will rise 166 percent. Without reform, those dramatic cost increases will endanger the economy, leaving employers and employees facing the untenable option of dropping coverage or laying off employees. The Business Roundtable's report found that the legislative reforms in the current health insurance bills could reduce employer costs by \$3,000 per employee by 2019. That's why the Main

Street Alliance supports the Affordable Health Care for America Act. The National Farmers Union supports the bill. The U.S. Women's Chamber of Commerce supports the bill, as does the Small Business Majority.

The scare tactics said that the American people would suffer. In actuality, consumer advocacy groups know that this bill will provide Americans with their choice of affordable health care options. That's why the Consumers Union supports it, the Consumer Health Coalition supports it, and the National Patient Advocate Foundation supports it.

Mr. Speaker, there are hundreds more State and national organizations that refused to fall prey to diversionary scare tactics and supported this ground-breaking legislation on health care. The focus on these individual groups is disparate, but they share a common agenda with the majority of Americans and the majority of this House: Delivery now on the long overdue need for responsible health insurance reform.

□ 1045

WE CAN DO BETTER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. Too many Americans are out of work. The stimulus certainly preserved some public sector jobs and was of benefit to public education and filled in some other gaps. But the rest of the spending has not been of great impact, particularly the \$340 billion in tax cuts insisted upon by three Republican Senators. And unfortunately, the Obama administration, at the urging of its chief economist, Larry Summers, caved in to those demands for yet more ineffective tax cuts, something that failed miserably during the Bush era to put the economy back on track, and failed again.

If you don't have a job, a tax cut doesn't do you much good and doesn't put you back to work, does it? So it's time for a new approach, considered, unfortunately by some, old school. That would be rebuilding the infrastructure of America.

According to the American Society of Civil Engineers, we have a \$2.2 trillion infrastructure deficit in this country. One hundred sixty thousand bridges on the Federal highway system are either load-limited or functionally obsolete. Our transit agencies across America have an \$80 billion backlog.

Now, the chief economist for the President, Mr. Larry Summers, an academic, doesn't think that infrastructure investment's a good thing. He cut it back in the stimulus last spring. But you know, actually, the 4 percent of that huge bill that went to infrastructure created 25 percent of the jobs. So perhaps Mr. Summers was wrong yet again, like he was when he prevented the Clinton administration from regu-

lating derivatives, which caused our world collapse of the economy.

But he thinks that infrastructure takes too long to spend out. What he doesn't understand is, when you have a massive backlog, you have projects that can be put on the ground or to work immediately.

I'll use an example that's kind of close to home for the President. The Chicago Transit Authority, they have a \$6.8 billion backlog in their transit system. They testified before my committee that they could spend \$500 million tomorrow, tomorrow, productively, bringing that system back toward a state of good repair. It would still take another \$6.5 billion, \$6.3 billion, and it would take quite some time.

Now, they got out of the stimulus \$240.2 million for their transit backlog. They spent that money productively in 30 days. They bought buses. Guess what? You buy a bus, people who make buses have jobs. People who make parts for the buses have jobs. We have a "Buy America" rule. Those jobs are actually here in the United States of America, and then those people work and they pay taxes and there's revenues to the government; sort of a good old-fashioned way of stimulating the economy and helping the deficit. Unfortunately, the President's chief economist doesn't believe in this. It's time for him to reorient his thinking.

We need a massive investment in our infrastructure. It is so degraded that we have projects ready to go all across the country in transit districts, in States with bridge replacement. These aren't things that require five to 10 years of planning and a long spend-out and those things that those ethereal academic economists think about when they think about transportation infrastructure.

No, when you're in deficit, like the United States of America is today, when you're headed toward a Third World transportation infrastructure, while our competitors like China are spending hundreds of billions of dollars for high speed rail, what are we doing? We're struggling to keep Amtrak running at 19th century speeds. That's kind of pathetic.

We can do better. But it will take a commitment, a push by the White House, a reorientation in the thinking down there, or perhaps ignoring some bad advice they're getting, and have the President champion the creation of jobs and the rebuilding of our infrastructure. And you know, we can do this in a way that actually wouldn't have to add to the deficit.

They've done a great job of bailing out Wall Street. Goldman Sachs is going to be paying bonuses that average \$700,000 this year. Whoa, good times are here again, except not for an America that is suffering very high unemployment. So maybe it's time that Wall Street just gave back a little bit. We could reinstitute a tax we had from 1916 to 1966, a modest transaction tax.

Congress, in the last Great Depression, they had the guts to actually double that tax. Disaster was predicted on Wall Street. Guess what? The economy only went up from there, and tens of thousands, hundreds of thousands of people were put to work building a new America, an infrastructure that needs rebuilding today.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 51 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BLUMENAUER) at noon.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Lord, some days we do not know how to pray. What are the greatest needs of the Nation? Who needs Your attention? To whom should we individually offer our slippery dollar?

You alone know our personal needs. You see the depths I dare not confess to another. My most severe wounds are buried in my own fear. The whole truth is difficult for us to face, humanly, so we will live another day on the margins.

Lord, help Congress to do what it is able to do. Anything more would be fictitious. You alone know us through and through. So, by placing all our trust in You, we can now work as hard as we can and rest in peace.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Ms. ROS-LEHTINEN. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. ROS-LEHTINEN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from North Carolina (Mr. COBLE) come forward and lead the House in the Pledge of Allegiance.

Mr. COBLE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

CONGRATULATING EMBRY RIDDLE UNIVERSITY

(Mrs. KIRKPATRICK of Arizona asked and was given permission to address the House for 1 minute.)

Mrs. KIRKPATRICK of Arizona. Mr. Speaker, on November 5, Embry Riddle University held their annual symposium dedicated to issues in homeland security on its Prescott, Arizona, campus. Unfortunately, the House held votes that day and I could not attend, but I heard that it was a fantastic event.

This year's theme was "Challenges for Homeland Security in the 21st Century," and panelists came from the FBI, the CIA, and TSA, the Arizona Department of Public Safety, and from the world of academia, among other places. Topics covered a wide range of issues, such as cybersecurity, public-private partnerships, and coordination between Federal, State, and local law enforcement.

I congratulate the faculty and administration of the Embry Riddle Prescott campus for putting together the event and working to develop a new generation of homeland security professionals.

FIREFIGHTERS

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. I rise today to commend some of our country's finest heroes—our firefighters. These caring individuals at our local fire departments in the Florida Keys and Miami-Dade are first-rate examples of the selflessness and commitment required to be a firefighter. Every day, these brave folks work to better protect and care for our communities. Their outstanding work allows all of us to live with a greater peace of mind for the safety of our families.

The Miami-Dade Fire Rescue motto is: "Always Ready, Proud to Serve." Recently, they were named Florida's 2009 EMS Provider of the Year. My heartfelt congratulations go out to each of these remarkable heroes who made this distinction possible.

A bit further south in my district, in the Florida Keys, the Monroe County

firefighters just opened up their new facility in Big Pine Key. This newly renovated fire station will help them better serve the needs of our community.

I truly appreciate the hard work and dedication of all of our firefighters. Their professional and humanitarian services are essential to the public health, safety, and well-being of all south Florida. Congratulations to all.

PUTTING PATIENTS' NEEDS FIRST

(Mr. WALZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALZ. I'm here today to applaud this House for fighting for working Americans by last weekend passing comprehensive welfare reform. I want to recognize this legislation takes a huge step forward in addressing the issue of paying for value in our health care system.

The current payment system rewards volume and quantity of care rather than quality of care. We spend hundreds of billions of dollars every year on unnecessary tests and procedures that do not improve a patient's health. We need to change the incentive system. We need doctors and hospitals to work together to coordinate care, putting the patients' needs first.

In my district of southern Minnesota, the Mayo Clinic has created such a culture where doctors coordinate and look for the best quality results. There are other institutions around the country who also provide high-quality, efficient care at low costs. These organizations all do it differently, but the one thing they have in common is a culture of patient-centered care.

This culture needs to be replicated in every hospital across the country, and the way we get there is by changing the incentive system. I'm very proud that the provisions in this bill will address this very issue. If we're to reform any part of health care this year, this is the key.

PROGRESSIVE BUT NOT PARTISAN?

(Mr. COBLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COBLE. Mr. Speaker, much has been spoken and written about the White House snub of Fox News. We have heard little, however, about MSNBC. Anita Dunn, the departing White House Communications Director, was quoted in a recent New York Times article claiming that Rachel Maddow and Keith Olbermann, MSNBC hosts, are "progressive but not partisan." Well, they surely fooled me.

Some may agree with Ms. Dunn by concluding that these two are not merely partisan, but rather fiercely partisan, and Ms. Dunn insults our intelligence by claiming otherwise.

BRINGING DOWN HEALTH CARE COSTS

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, critics of the Affordable Health Care for America Act have said we're not doing enough to control costs. In fact, a great deal of what we have done in this legislation is aimed at reducing costs in the system—not just costs to Medicare and Medicaid, but also to the private system as well.

For instance, one of the things we do is move toward standardized forms, standardized billing forms. One estimate is that this could save the system \$30 billion a year. That's just one of the things that we put into motion to try and change the cost structure of health care in this country.

As my colleague from Minnesota mentioned, we're talking about changing the way we pay physicians so that we pay for the quality of care and not the quantity of care. In addition, we move to reduce readmissions to hospitals, because this is one of the greatest factors in high medical care costs.

Time after time in this bill, from comparative effectiveness research to investments in health care information technology, we do things that will bring costs down in health care, and that is our commitment to the American people. We will bring down costs and make health care affordable for every American.

GREAT LAKES GITMO?

(Mr. KIRK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIRK. Recently, the administration announced it may move up to 215 al Qaeda terrorists to Illinois. This proposal imposes an unnecessary new risk. We should slow it down and answer some basic questions.

The facility is only 22 miles from a nuclear reactor. What precautions are being taken? Commissions will be held in Illinois. How do we protect the families of jurors and prosecutors?

Since the facility will replicate Gitmo's military administration, how will Great Lakes Gitmo improve American PR?

Yesterday, we learned that two-thirds of the jobs claimed to be created will be active duty military. The Bureau of Prisons will hire no one over 37 years old and will hire nationwide, not just in Illinois.

It's ironic that the administration promised \$200 million to Palau to accept six terrorists—\$33 million a terrorist. But for 215 terrorists, Illinois would only get \$120 million—\$500,000 a terrorist. That's 66 times less than the rate paid to Palau.

The people of Illinois deserve to know a lot more about this proposal and how it would affect our safety.

WHAT'S IN IT FOR SMALL BUSINESSES?

(Ms. WATSON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WATSON. Mr. Speaker, I am so proud of this House for getting the health reform bill out. And what is in it for small business? No entity fares better under reform than small business. That's because the current health insurance system is rigged against small business, which now faces fewer choices, higher costs and, as a consequence, less stable coverage for their workers.

Health insurance reform will level the playing field and provide more stability and security to small business. Small business then will be able to cover all of their employees. It's all about jobs, and the reform will lead towards jobs.

ADMINISTRATION DITHERS ON AFGHANISTAN

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Back in March, the President made it clear we need a comprehensive approach to secure stability in Afghanistan. He stated that the safety of people around the world is at stake. I issued a statement in support. General McChrystal has requested more troops and resources in Afghanistan to do just that, but this administration continues to dither.

Several weeks ago, former Vice President Dick Cheney used the term "dithering" to describe the President's indecision. I agreed with the former Vice President because "dithering" means to hesitate and waste time.

In the Los Angeles Times on Saturday, Doyle McManus highlighted that now some of the President's own supporters are beginning to wonder whether Cheney was right. For the sake of American families at home, Congress and the President should not dither, but listen to the commanders in the field.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

SUCCESSFUL HEALTH CARE PROGRAM

(Mr. COURTNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COURTNEY. Mr. Speaker, yesterday, AARP, an organization of 40 million Americans over the age of 50, announced the results of a poll regarding the Affordable Health Care for America Act. It found that by a two-to-one margin AARP supports this bill. And what's not to support?

This is a bill, for those who care about Medicare, which will close the doughnut hole, the infamous 100 percent deductible for seniors who are paying for the part D benefit that doesn't pay benefits after hitting \$2,300 in care. It eliminates copayments for preventive services, cancer screenings. But, most importantly, the actuaries for the Center for Medicare Services found on Friday that it extends the solvency of the Medicare trust fund by 5 years. So instead of going in a negative direction, we are strengthening the Medicare trust fund, which will ensure that Americans will have one of the most successful health programs ever created—Medicare for themselves, their children, and their grandchildren.

AARP, the American Heart Association, the American Cancer Society all support this bill, and the Senate should do the same and pass this measure and send it to President Obama for his signature.

CMS REPORT

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, just a week after the House passed Speaker PELOSI's health care reform bill, we've received a report from the Centers for Medicare and Medicaid Services showing what this bill will do to health care in America. If this bill were to become law, health care costs would increase by \$289 billion over the next 10 years. Rising costs are devastating families and businesses, but this trillion-dollar health care bill does nothing to stem the flood.

The same CMS report shows that proposed cuts to Medicare would reduce benefits for seniors. The \$571 billion in cuts could cause many doctors and hospitals to stop taking Medicare patients, leading to lines for service and degraded care. Further cuts to the program mean a greater burden on private insurance, a higher rate for businesses and individuals, higher costs, more government control, more taxes, and less competition.

Here we have more evidence that Speaker PELOSI's bill is the wrong kind of health care reform.

□ 1215

HOLDING WALL STREET ACCOUNTABLE

(Mr. CARNAHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARNAHAN. Policies of poor regulation and lax oversight of our financial system came to a head 1 year ago, greatly contributing to the worst financial crisis this country has experienced since the Great Depression. Over the past year, we have made tough choices and taken firm steps to bring

our economy back from the brink, but there is still much more work to do on the path to recovery, including enacting comprehensive reform on how Wall Street works, to protect Main Street and American families.

As we move forward, we must hold Wall Street accountable by making commonsense reforms to our financial regulatory system that will help prevent such a crisis from ever happening again. As we rebuild our economy, we must assure Wall Street can't take risks that jeopardize the whole economy: businesses, large and small, and family budgets, savings and retirements.

Financial regulatory reform will put procedures in place to make sure taxpayers will never again have to bail out too-big-to-fail institutions who take on irresponsible risk. It also restores accountability and transparency so that the problems are recognized and fixed before they threaten the entire economy as well as outlaw many of the egregious practices that led to the worst financial crisis in decades.

**LIEUTENANT COLONEL RAYMOND
ERIC JONES, A MEMBER OF THE
GREATEST GENERATION**

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, Raymond Eric Jones got married at the tender age of 19 to Lucille, and then he was off to serve his country 2 years later in the great World War II. Raymond flew B-17s over Germany, including bombing Normandy to prepare for the D-day invasion. In 1944, before his 25th mission, he was informed that upon completion of that mission, he would be taken back home to America as a hero and do public relations for the Air Force.

But that was not meant to be. His B-17 on that 25th mission was shot up and quickly crashed in a German field. Four members died on impact. Even though he was wounded, Lieutenant Colonel Jones pulled the remaining two from the wreckage, and he would remain in a German prisoner of war camp for the next 11 months. Fifty-eight years later, Lieutenant Colonel Jones received the distinguished Flying Cross for saving his two crew members. He has also received the Purple Heart, the Air Medal with six oak leaf clusters, the POW medal and the Presidential Unit Citation.

Monday, in the presence of his family, Taps will be played at Arlington National Cemetery, where Lieutenant Colonel Raymond Jones will be buried with full military honors, another member of the Greatest Generation who made America proud. Amazing breed—a rare breed, these World War II veterans.

And that's just the way it is.

HEALTH CARE FOR CHILDREN

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, Members, recently this House passed by 220-215 the historic health care reform bill, H.R. 3962, the Affordable Health Care for America Act. This legislation will have profound impact on the uninsured children in our country. In 2008, an estimated 64.1 percent of all children in the Nation had private coverage, 28.3 percent had public coverage, and 9.9 percent were uninsured.

But in Texas, we have 1.5 million children uninsured, giving us the distinction of having the highest number of uninsured children in the country. This is largely due to the State's refusal to fund State matching funds for the Children's Health Insurance Program, or CHIP. In 2008, 26.8 percent of the children in our district were uninsured, the third highest for uninsured children in the Nation.

H.R. 3962 provides sliding scale subsidies to families with incomes of up to 400 percent of the poverty line, which would not be dependent upon State budget decisions, as in the case of SCHIP. Funding for the affordability credits would not be capped and would rise automatically when needed.

We have an obligation to provide health benefits to our children and H.R. 3962 will ensure that all plans provide an essential benefits package that includes comprehensive benefits such as vision, hearing and dental care for children as well as well-baby and well-child care.

WHERE ARE THE JOBS?

(Mr. REHBERG asked and was given permission to address the House for 1 minute.)

Mr. REHBERG. When Congress passed the trillion-dollar so-called stimulus, the national unemployment rate was 7.6 percent. Some politicians warned that without the stimulus, unemployment could pass 8 percent. This month, unemployment blew past 10 percent; and like you, I am wondering where the jobs are.

In the infinite wisdom of the government, \$18 million was spent on a Web site to track jobs. The just-released job figures for Montana are listed by congressional district. Montana, of course, has only one district. Yet the Federal Government spent \$372,000 to create one single job in Montana's non-existent 8th Congressional District. Our imaginary 16th Congressional District did better, with 32.5 jobs. Only a bureaucrat would count half a job in a district that does not exist. The government spent \$1 trillion to save and create jobs, and the opposite has happened. Millions more Americans have lost their jobs, and now they want to fix health care like they've fixed the economy.

**CLEAN ENERGY JOBS FOR
NEVADA**

(Ms. TITUS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TITUS. Mr. Speaker, for far too long Nevada's economy has primarily been dependent on gaming and mining for job creation. Now it's time to diversify and take action to create clean energy jobs in Nevada, the sunniest State in the country with abundant geothermal and wind resources. We need jobs in southern Nevada, and the key is to focus on innovative new clean energy technologies.

Just yesterday, a major solar developer in Nevada, Solar Millennium, announced that it plans to dry-cool its plant in the Amargosa Valley. That means it will use 90 percent less water than originally anticipated. This is very exciting. I have offered a number of amendments on the floor to improve the water efficiency of solar technology, which is important because many of the sunniest States are also some of the driest. This smart, innovative decision to use less water for this major solar project will speed the approval process, help stimulate the local economy, and create needed jobs in southern Nevada.

**TERRORIST DETAINEES IN
GUANTANAMO BAY**

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute.)

Mr. BILIRAKIS. Mr. Speaker, I rise to express my outrage at President Obama's decision to bring terrorists being held at Gitmo to American soil for prosecution in our criminal justice system. This dangerous decision will grant these detainees, including the admitted mastermind behind 9/11, constitutional rights to which they most certainly are not entitled.

Prosecuting these detainees in our criminal courts also will raise the risk that they could be released on technicalities and will force our soldiers to worry about such things as reading captured combatants their so-called rights and preserving the chain of evidence.

Mr. Speaker, President Obama's decision is a gamble that we simply do not need to take. These detainees are enemy fighters who should be tried in the military justice system, not in American courts.

**HEALTH CARE REFORM'S IMPACT
ON AMERICA'S SENIORS**

(Mr. SIREs asked and was given permission to address the House for 1 minute.)

Mr. SIREs. Mr. Speaker, we have heard how reforming our health care system will benefit both those with and without coverage. But what does reform mean for millions of our seniors?

It will mean a stronger and more improved Medicare program. More services will be covered under the program, including free preventive services. The safety and quality of care will also be improved through payment and delivery system reforms to encourage better care.

In addition, reform will bring tighter oversight by creating new tools to fight waste, fraud and abuse within Medicare, as well as save costs by eliminating gross overpayments. Medicare itself will be protected by extending the solvency of the Medicare trust fund by 5 years.

Most importantly, our bill will mean lower drug costs for seniors by allowing the government to negotiate drug prices on behalf of Medicare beneficiaries and by closing the doughnut hole that thousands of seniors just in my district alone hit each year.

Mr. Speaker, security and stability is what reform means for seniors and why most recently 63 percent of AARP members support the House version of health care reform.

HEALTH CARE BILL WILL NEGATIVELY AFFECT SENIORS

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute.)

Mr. BUCHANAN. Mr. Speaker, a new report says the health care bill that just passed the House will sharply reduce benefits to seniors. This report was done by President Obama's own administration. The Washington Post says it all. You can see it right here: "This bill would sharply reduce benefits for some senior citizens and could jeopardize access to care for millions of others."

My district has more than 267,000 seniors, the oldest congressional district in the country. I will not stand by while we devastate Medicare and raise taxes on individuals and small businesses. The report also warns that hospitals and nursing homes could stop taking Medicare all together.

I urge every Member of Congress to read this report so we can focus on real reform that does not punish our seniors.

SCHOOL-BASED HEALTH CLINICS

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I rise today to remind my colleagues of just one of the essential programs included in the Affordable Health Care for America Act. This bill includes the first dedicated Federal funding for school-based health clinics. School-based clinics garner strong bipartisan support, and this provision is one of the many bipartisan initiatives included in our health reform legislation. Today clinics in our schools are providing comprehensive and easily acces-

sible health care to nearly 2 million students across the country.

Students spend 5 days a week in school. It's the most logical place to offer primary and preventive care. Without this legislation, some students may have no access to health education, screenings and other primary services. At the height of the flu season, there is a need for supporting these clinics, these school-based health clinics, now more than ever. This is just one more reason of why I urge my colleagues to help pass real health reform now.

TRIBUTE TO LIEUTENANT THOMAS CLAIBORNE, UNITED STATES MA- RINE CORPS

(Mr. COFFMAN of Colorado asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COFFMAN of Colorado. Mr. Speaker, there are many heroes who have served our Nation from the Sixth Congressional District of Colorado. Today I rise to pay tribute to one hero in particular. Marine Corps First Lieutenant Thomas Claiborne of Parker, Colorado. On October 29, 2009, First Lieutenant Claiborne was lost when his Marine Super Cobra collided with a Coast Guard C-130 during an escort mission off the coast of California. The lives of the crew of both aircraft were lost in this tragic training accident.

First Lieutenant Claiborne graduated from the University of Colorado magna cum laude on a full Navy ROTC scholarship in May 2006 with a degree in aerospace engineering and later earned his wings as a pilot in the United States Marine Corps. He is remembered as a fine young man, an outstanding student and a dedicated Marine Corps officer who had always dreamed of flying. First Lieutenant Thomas Claiborne was a shining example of the Marine Corps traditions. As a fellow marine, my deepest sympathies go out to his family and to all that knew him.

FINANCIAL SERVICES REFORM

(Mr. ELLISON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ELLISON. Mr. Speaker, President Bush's policies of deregulation, poor regulation, and lack of oversight of our financial system came to a head a little more than a year ago, and they brought us the worst financial crisis since the Great Depression. As my friends on the other side of the aisle talk about unemployment and the stimulus package, it is their policies that made all of this necessary in the first place.

But the Democratic Congress is roaring back to protect consumers, to make our financial system more safe and sound, and to provide an orderly resolution of financial firms that have failed. Legislation being proposed right

now will provide unprecedented protections for American consumers through the Consumer Financial Protection Agency, put procedures in place to make sure taxpayers will never again have to bail out too-big-to-fail institutions, restore accountability and transparency so that problems are recognized and fixed before they threaten the entire economy, outlaw many of the most egregious practices, like subprime lending, and put our economy on a stable footing.

HEALTH CARE REFORM

(Mr. BACA asked and was given permission to address the House for 1 minute.)

Mr. BACA. Congress is only a few steps away from passing a health care reform bill that is much needed for the American people. If we lose sight of our main goal to provide access coverage to everyone, especially the poor and the middle class that have already sacrificed or contributed so much so this country, I say, Ask not what you can do for the insurance companies but ask what you can do for the American people.

This is a humanitarian issue about responsible parents trying to provide for their families. The House bill ends the doughnut hole prescription drug coverage, ends copayment for preventive care, ends discrimination based on preexisting conditions, and provides more health care for our youth. The health bill means less red tape and less paperwork, more time with your families and doctors, lower premiums for older Americans.

This is extremely important at a time that the American families are stretching their budgets to the brink to make ends meet their needs and may have lost their jobs. Access to health care is not a privilege. It's a human right. I urge my colleagues to fight for the American family and pass real health care reform.

□ 1230

FINANCIAL REGULATORY REFORM

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, I rise in strong support of the Financial Services Committee's work to overhaul our financial system. Across the Nation, including my home State of Rhode Island, predatory lending and unregulated mortgage brokers led to unsustainable home loans and a drain on our economy. Now, with unemployment at 13 percent, my constituents, like many across the country, have had no other choice but to turn to credit cards to support their families and small businesses. Now what's happening is these struggling Rhode Islanders are subjected to the deceptive practices of credit card companies

greedily generating more profit before new regulations go into effect. We've all seen it. These practices include rising minimum payment amounts and interest rates, decreasing limits and closing accounts without proper notification. For these reasons and many more, consumer protection must be the cornerstone of financial reform. Further, we must restore accountability and transparency of financial institutions and eliminate risks that contributed to the financial collapse.

I look forward to voting on legislation which will address these past failures, strengthen regulation and oversight and put our country back on a path to economic stability.

HOW QUICKLY WE FORGET

(Ms. EDWARDS of Maryland asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDWARDS of Maryland. Mr. Speaker, how quickly we forget. Last year at this time the Nation faced the worst financial crisis in decades, shedding over 600,000 jobs a month. We knew that unemployment was going to get worse before it got better. This is little consolation to the millions of Americans who are currently unemployed, facing foreclosure, or forced to take multiple low-paying jobs to make ends meet.

Earlier this year, we took unprecedented action by passing the American Recovery and Reinvestment Act. The impact of this legislation is growing more evident each day across this country, but it's not enough, especially if you don't have a job.

It's time for us to focus on creating jobs that enable Americans to take care of themselves and their families. We must engage in long-term job creation, continuing the Recovery Act to rebuild our roads, bridges, water, sewer, and energy infrastructure to compete in a global economy. We must open credit markets to enable the real job creators, small businesses, to grow and hire.

Mr. Speaker, as millions of Americans continue to suffer, I ask us to get busy creating jobs and move quickly to pass a bill that will create hundreds of thousands of new jobs and make critical investments in our infrastructure.

HEALTH CARE REFORM

(Mr. MURPHY of Connecticut asked and was given permission to address the House for 1 minute.)

Mr. MURPHY of Connecticut. Mr. Speaker, there are a lot of special interests out there that are making noise about what the House health care bill means for seniors. But seniors that I met with yesterday in Meriden, Connecticut, they're not falling for the scare tactics. That's because for years they've been dealing with the rising cost of health insurance, and they're the ones that have been paying for the

prescription drug doughnut hole that was created by the Republicans and their drug industry allies. The seniors that I talked to yesterday, they support the health care reform bill because it lowers their out-of-pocket expenses in Medicare. It eliminates the doughnut hole, and it extends the life of Medicare to make sure that it will be around for their kids and their grandkids.

And that's why AARP supports the bill as well, with polling showing that their members also support health care reform by a 2-1 margin. Mr. Speaker, seniors out there support health care reform because they, better than anybody, know what the status quo is, and they don't like it.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

CLEAN HULL ACT OF 2009

Mr. CUMMINGS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3618) to provide for implementation of the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3618

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Clean Hull Act of 2009".

TITLE I—GENERAL PROVISIONS

SEC. 101. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) ANTIFOULING SYSTEM.—The term "antifouling system" means a coating, paint, surface treatment, surface, or device that is used or intended to be used on a vessel to control or prevent attachment of unwanted organisms.

(3) CONVENTION.—The term "Convention" means the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001, including its annexes, and including any amendments to the Convention or annexes which have entered into force for the United States.

(4) FPSO.—The term "FPSO" means a floating production, storage, or offloading unit.

(5) FSU.—The term "FSU" means a floating storage unit.

(6) GROSS TONNAGE.—The term "gross tonnage" as defined in chapter 143 of title 46, United States Code, means the gross tonnage calculated in accordance with the tonnage

measurement regulations contained in annex 1 to the International Convention on Tonnage Measurement of Ships, 1969.

(7) INTERNATIONAL VOYAGE.—The term "international voyage" means a voyage by a vessel entitled to fly the flag of one country to or from a port, shipyard, offshore terminal, or other place under the jurisdiction of another country.

(8) ORGANOTIN.—The term "organotin" means any compound or additive of tin bound to an organic ligand, that is used or intended to be used as biocide in an antifouling system.

(9) PERSON.—The term "person" means—

(A) any individual, partnership, association, corporation, or organized group of persons whether incorporated or not;

(B) any department, agency, or instrumentality of the United States, except as provided in section 3(b)(2); or

(C) any other government entity.

(10) SECRETARY.—The term "Secretary" means the Secretary of the department in which the Coast Guard is operating.

(11) SELL OR DISTRIBUTE.—The term "sell or distribute" means to distribute, sell, offer for sale, hold for distribution, hold for sale, hold for shipment, ship, deliver for shipment, release for shipment, import, export, hold for import, hold for export, or receive and (having so received) deliver or offer to deliver.

(12) VESSEL.—The term "vessel" has the meaning given that term in section 3 of title 1, United States Code, including hydrofoil boats, air cushion watercraft, submersibles, floating craft, fixed or floating platforms, floating storage units, and floating production, storage, and offloading units.

(13) TERRITORIAL SEA.—The term "territorial sea" means the territorial sea as described in Presidential Proclamation No. 5928 on December 27, 1988.

(14) UNITED STATES.—The term "United States" means the several States of the United States, the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Marianas, and any other territory or possession over which the United States has jurisdiction.

(15) USE.—The term "use" includes application, reapplication, installation, or any other employment of an antifouling system.

SEC. 102. COVERED VESSELS.

(a) INCLUDED VESSEL.—Except as provided in subsection (b), after the Convention enters into force for the United States, the following vessels are subject to the requirements of this Act:

(1) A vessel documented under chapter 121 of title 46, United States Code, or one operated under the authority of the United States, wherever located.

(2) Any vessel permitted by a Federal agency to operate on the Outer Continental Shelf.

(3) Any other vessel when—

(A) in the internal waters of the United States;

(B) in any port, shipyard, offshore terminal, or other place in the United States;

(C) lightering in the territorial sea; or

(D) to the extent consistent with international law, anchoring in the territorial sea of the United States.

(b) EXCLUDED VESSELS.—

(1) IN GENERAL.—The following vessels are not subject to the requirements of this Act:

(A) Any warship, naval auxiliary, or other vessel owned or operated by a foreign state, and used, for the time being, only on government noncommercial service.

(B) Except as provided in paragraph (2), any warship, naval auxiliary, or other vessel owned or operated by the United States and used for the time being only on government noncommercial service.

(2) APPLICATION TO UNITED STATES GOVERNMENT VESSELS.—

(A) IN GENERAL.—The Administrator may apply any requirement of this Act to one or more classes of vessels described in paragraph (1)(B), if the head of the Federal department or agency under which those vessels operate concurs in that application.

(B) LIMITATION FOR COMBAT-RELATED VESSEL.—Paragraph (1) shall not apply to combat-related vessels.

SEC. 104. ADMINISTRATION AND ENFORCEMENT.

(a) IN GENERAL.—Unless otherwise specified in this Act, with respect to a vessel, the Secretary shall administer and enforce the Convention and this Act.

(b) ADMINISTRATOR.—Except with respect to section 301 (b) and (c), the Administrator shall administer and enforce title III of this Act.

(c) REGULATIONS.—The Administrator and the Secretary may each prescribe and enforce regulations as may be necessary to carry out their respective responsibilities under this Act.

SEC. 105. COMPLIANCE WITH INTERNATIONAL LAW.

Any action taken under this Act shall be taken in accordance with treaties to which the United States is a party and other international obligations of the United States.

SEC. 106. UTILIZATION OF PERSONNEL, FACILITIES OR EQUIPMENT OF OTHER FEDERAL DEPARTMENTS AND AGENCIES.

The Secretary and the Administrator may utilize by agreement, with or without reimbursement, personnel, facilities, or equipment of other Federal departments and agencies in administering the Convention, this Act, or any regulations prescribed under this Act.

TITLE II—IMPLEMENTATION OF THE CONVENTION

SEC. 201. CERTIFICATES.

(a) CERTIFICATE REQUIRED.—On entry into force of the Convention for the United States, any vessel of at least 400 gross tons that engages in one or more international voyages (except fixed or floating platforms, FSUs, and FPSOs) shall carry an International Antifouling System Certificate.

(b) ISSUANCE OF CERTIFICATE.—On entry into force of the Convention, on a finding that a successful survey required by the Convention has been completed, a vessel of at least 400 gross tons that engages in at least one international voyage (except fixed or floating platforms, FSUs, and FPSOs) shall be issued an International Antifouling System Certificate. The Secretary may issue the Certificate required by this section. The Secretary may delegate this authority to an organization that the Secretary determines is qualified to undertake that responsibility.

(c) MAINTENANCE OF CERTIFICATE.—The Certificate required by this section shall be maintained as required by the Secretary.

(d) CERTIFICATES ISSUED BY OTHER PARTY COUNTRIES.—A Certificate issued by any country that is a party to the Convention has the same validity as a Certificate issued by the Secretary under this section.

(e) VESSELS OF NONPARTY COUNTRIES.—Notwithstanding subsection (a), a vessel of at least 400 gross tons, having the nationality of or entitled to fly the flag of a country that is not a party to the Convention, may demonstrate compliance with this Act through other appropriate documentation considered acceptable by the Secretary.

SEC. 202. DECLARATION.

(a) REQUIREMENTS.—On entry into force of the Convention for the United States, a vessel of at least 24 meters in length, but less than 400 gross tons engaged on an international voyage (except fixed or floating

platforms, FSUs, and FPSOs) must carry a declaration described in subsection (b) that is signed by the owner or owner's authorized agent. That declaration shall be accompanied by appropriate documentation, such as a paint receipt or a contractor invoice, or contain an appropriate endorsement.

(b) CONTENT OF DECLARATION.—The declaration must contain a clear statement that the antifouling system on the vessel complies with the Convention. The Secretary may prescribe the form and other requirements of the declaration.

SEC. 203. OTHER COMPLIANCE DOCUMENTATION.

In addition to the requirements under sections 201 and 202, the Secretary may require vessels to hold other documentation considered necessary to verify compliance with this Act.

SEC. 204. PROCESS FOR CONSIDERING ADDITIONAL CONTROLS.

(a) ACTIONS BY ADMINISTRATOR.—The Administrator may—

(1) participate in the technical group described in Article 7 of the Convention, and in any other body convened pursuant to the Convention for the consideration of new or additional controls on antifouling systems;

(2) evaluate any risks of adverse effects on nontarget organisms or human health presented by a given antifouling system such that the amendment of annex 1 of the Convention may be warranted;

(3) undertake an assessment of relevant environmental, technical, and economic considerations necessary to evaluate any proposals for new or additional controls of antifouling systems under the Convention, including benefits in the United States and elsewhere associated with the production and use in the United States and elsewhere, of the subject antifouling system; and

(4) develop recommendations based on that assessment.

(b) REFERRALS TO TECHNICAL GROUP.—

(1) CONVENING OF SHIPPING COORDINATING COMMITTEE.—On referral of any antifouling system to the technical group described in article 7 of the Convention for consideration of new or additional controls, the Secretary of State shall convene a public meeting of the Shipping Coordinating Committee for the purpose of receiving information and comments regarding controls on such antifouling system. The Secretary of State shall publish advance notice of such meeting in the Federal Register and on the State Department's Web site. The Administrator shall assemble and maintain a public docket containing notices pertaining to that meeting, any comments responding to those notices, the minutes of that meeting, and materials presented at that meeting.

(2) REPORT BY TECHNICAL GROUP.—The Administrator shall promptly make any report by the technical group described in the Convention available to the public through the docket established pursuant to subsection (b) and announce the availability of that report in the Federal Register. The Administrator shall provide an opportunity for public comment on the report for a period of not less than 30 days from the time the availability of the report is announced in the Federal Register.

(3) CONSIDERATION OF COMMENTS.—To the extent practicable, the Administrator shall take any comments into consideration in developing recommendations under subsection (a).

SEC. 205. SCIENTIFIC AND TECHNICAL RESEARCH AND MONITORING; COMMUNICATION AND INFORMATION.

The Secretary, the Administrator, and the Administrator of the National Oceanic and Atmospheric Administration may each undertake scientific and technical research and

monitoring pursuant to article 8 of the Convention and to promote the availability of relevant information concerning—

(1) scientific and technical activities undertaken in accordance with the Convention;

(2) marine scientific and technological programs and their objectives; and

(3) the effects observed from any monitoring and assessment programs relating to antifouling systems.

SEC. 206. COMMUNICATION AND EXCHANGE OF INFORMATION.

(a) IN GENERAL.—Except as provided in subsection (b), with respect to those antifouling systems regulated by the Administrator, the Administrator shall provide to any party to the Convention that requests it, relevant information on which the decision to regulate was based, including information provided for in annex 3 to the Convention, or other information suitable for making an appropriate evaluation of the antifouling system.

(b) LIMITATION.—This section shall not be construed to authorize the provision of information the disclosure of which is otherwise prohibited by law.

TITLE III—PROHIBITIONS AND ENFORCEMENT AUTHORITY

SEC. 301. PROHIBITIONS.

(a) IN GENERAL.—Notwithstanding any other provision of law, it is unlawful for any person—

(1) to act in violation of this Act, or any regulation prescribed under this Act;

(2) to sell or distribute in domestic or international commerce organotin or an antifouling system containing organotin;

(3) to manufacture, process, or use organotin to formulate an antifouling system;

(4) to apply an antifouling system containing organotin on any vessel to which this Act applies; or

(5) after the Convention enters into force for the United States, to apply or otherwise use in a manner inconsistent with the Convention, an antifouling system on any vessel that is subject to this Act.

(b) VESSEL HULLS.—Except as provided in subsection (c), no vessel shall bear on its hull or outer surface any antifouling system containing organotin, regardless of when such system was applied, unless that vessel bears an overcoating which forms a barrier to organotin leaching from the underlying antifouling system.

(c) LIMITATIONS.—

(1) EXCEPTED VESSEL.—Subsection (b) does not apply to fixed or floating platforms, FSUs, or FPSOs that were constructed prior to January 1, 2003, and that have not been in dry dock on or after that date.

(2) SALE, MANUFACTURE, ETC.—This section does not apply to—

(A) the sale, distribution, or use pursuant to any agreement between the Administrator and any person that results in an earlier prohibition or cancellation date than specified in this Act; or

(B) the manufacture, processing, formulation, sale, distribution, or use of organotin or antifouling systems containing organotin used or intended for use only for sonar domes or in conductivity sensors in oceanographic instruments.

SEC. 302. INVESTIGATIONS AND INSPECTIONS BY SECRETARY.

(a) IN GENERAL.—The Secretary may conduct investigations and inspections regarding a vessel's compliance with this Act or the Convention.

(b) VIOLATIONS; SUBPOENAS.—In any investigation under this section, the Secretary may issue subpoenas to require the attendance of witnesses and the production of documents and other evidence. In case of refusal

to obey a subpoena issued to any person, the Secretary may request the Attorney General to invoke the aid of the appropriate district court of the United States to compel compliance.

(c) **FURTHER ACTION.**—On completion of an investigation, the Secretary may take whatever further action the Secretary considers appropriate under the Convention or this Act.

(d) **COOPERATION.**—The Secretary may cooperate with other parties to the Convention in the detection of violations and in enforcement of the Convention. Nothing in this section affects or alters requirements under any other laws.

SEC. 303. EPA ENFORCEMENT.

(a) **INSPECTIONS, SUBPOENAS.**—

(1) **IN GENERAL.**—For purposes of enforcing this Act or any regulation prescribed under this Act, officers or employees of the Environmental Protection Agency or of any State designated by the Administrator may enter at reasonable times any location where there is being held or may be held organotin or any other substance or antifouling system regulated under the Convention, for the purpose of inspecting and obtaining samples of any containers or labeling for organotin or other substance or system regulated under the Convention.

(2) **SUBPOENAS.**—In any investigation under this section the Administrator may issue subpoenas to require the attendance of any witness and the production of documents and other evidence. In case of refusal to obey such a subpoena, the Administrator may request the Attorney General to compel compliance.

(b) **STOP MANUFACTURE, SALE, USE, OR REMOVAL ORDERS.**—Consistent with section 104, whenever any organotin or other substance or system regulated under the Convention is found by the Administrator and there is reason to believe that a manufacturer, seller, distributor, or user has violated or is in violation of any provision of this Act, or that such organotin or other substance or system regulated under the Convention has been or is intended to be manufactured, distributed, sold, or used in violation of this Act, the Administrator may issue a stop manufacture, sale, use, or removal order to any person that owns, controls, or has custody of such organotin or other substance or system regulated under the Convention. After receipt of that order the person may not manufacture, sell, distribute, use, or remove the organotin or other substance or system regulated under the Convention described in the order except in accordance with the order.

SEC. 304. ADDITIONAL AUTHORITY OF THE ADMINISTRATOR.

The Administrator, in consultation with the Secretary, may establish, as necessary, terms and conditions regarding the removal and disposal of antifouling systems prohibited or restricted under this Act.

TITLE IV—ACTION ON VIOLATION, PENALTIES, AND REFERRALS

SEC. 401. CRIMINAL ENFORCEMENT.

Any person who knowingly violates paragraph (2), (3), (4), or (5) of section 301(a) or section 301(b) shall be fined under title 18, United States Code, or imprisoned not more than 6 years, or both.

SEC. 402. CIVIL ENFORCEMENT.

(a) **CIVIL PENALTY.**—

(1) **IN GENERAL.**—Any person who is found by the Secretary or the Administrator, as appropriate, after notice and an opportunity for a hearing, to have—

(A) violated the Convention, this Act, or any regulation prescribed under this Act is liable to the United States Government for a civil penalty of not more than \$37,500 for each violation; or

(B) made a false, fictitious, or fraudulent statement or representation in any matter in which a statement or representation is required to be made to the Secretary under the Convention, this Act, or any regulations prescribed under this Act, is liable to the United States for a civil penalty of not more than \$50,000 for each such statement or representation.

(2) **RELATIONSHIP TO OTHER LAW.**—This subsection shall not limit or affect the authority of the Government under section 1001 of title 18, United States Code.

(b) **ASSESSMENT OF PENALTY.**—The amount of the civil penalty shall be assessed by the Secretary or Administrator, as appropriate, by written notice.

(c) **LIMITATION FOR RECREATIONAL VESSEL.**—A civil penalty imposed under subsection (a) against the owner or operator of a recreational vessel, as that term is defined in section 2101 of title 46, United States Code, for a violation of the Convention, this Act, or any regulation prescribed under this Act involving that recreational vessel, may not exceed \$5,000 for each violation.

(d) **DETERMINATION OF PENALTY.**—For purposes of penalties under this section, each day of a continuing violation constitutes a separate violation. In determining the amount of the penalty, the Secretary or Administrator shall take into account the nature, circumstances, extent, and gravity of the prohibited acts committed and, with respect to the violator, the degree of culpability, any history of prior offenses, the economic impact of the penalty on the violator, the economic benefit to the violator and other matters as justice may require.

(e) **REWARD.**—An amount equal to not more than one-half of any civil penalty assessed by the Secretary or Administrator under this section may, subject to the availability of appropriations, be paid by the Secretary or Administrator, respectively, to any person who provided information that led to the assessment or imposition of the penalty.

(f) **REFERRAL TO ATTORNEY GENERAL.**—If any person fails to pay a civil penalty assessed under this section after it has become final, or comply with an order issued under this Act, the Secretary or Administrator, as appropriate, may refer the matter to the Attorney General of the United States for collection in any appropriate district court of the United States.

(g) **COMPROMISE, MODIFICATION, OR REMISSION.**—Before referring any civil penalty that is subject to assessment or has been assessed under this section to the Attorney General, the Secretary, or Administrator, as appropriate, may compromise, modify, or remit, with or without conditions, the civil penalty.

(h) **NONPAYMENT PENALTY.**—Any person who fails to pay on a timely basis a civil penalty assessed under this section shall also be liable to the United States for interest on the penalty at an annual rate equal to 11 percent compounded quarterly, attorney fees and costs for collection proceedings, and a quarterly nonpayment penalty for each quarter during which such failure to pay persists. That nonpayment penalty shall be in an amount equal to 20 percent of the aggregate amount of that person's penalties and nonpayment penalties that are unpaid as of the beginning of that quarter.

SEC. 403. LIABILITY IN REM.

A vessel operated in violation of the Convention, this Act, or any regulation prescribed under this Act, is liable in rem for any fine imposed under section 18, United States Code, or civil penalty assessed pursuant to section 402, and may be proceeded against in the United States district court of any district in which the vessel may be found.

SEC. 404. VESSEL CLEARANCE OR PERMITS; REFUSAL OR REVOCATION; BOND OR OTHER SURETY.

If any vessel that is subject to the Convention or this Act, or its owner, operator, or person in charge, is liable for a fine or civil penalty under section 402 or 403, or if reasonable cause exists to believe that the vessel, its owner, operator, or person in charge may be subject to a fine or civil penalty under section 402 or 403, the Secretary may refuse or revoke the clearance required by section 60105 of title 46, United States Code. Clearance may be granted upon the filing of a bond or other surety satisfaction to the Secretary.

SEC. 405. WARNINGS, DETENTIONS, DISMISSALS, EXCLUSION.

(a) **IN GENERAL.**—If a vessel is detected to be in violation of the Convention, this Act, or any regulation prescribed under this Act, the Secretary may warn, detain, dismiss, or exclude the vessel from any port or offshore terminal under the jurisdiction of the United States.

(b) **NOTIFICATIONS.**—If action is taken under subsection (a), the Secretary, in consultation with the Secretary of State, shall make the notifications required by the Convention.

SEC. 406. REFERRALS FOR APPROPRIATE ACTION BY FOREIGN COUNTRY.

Notwithstanding sections 401, 402, 403, and 405, if a violation of the Convention is committed by a vessel registered in or of the nationality of a country that is a party to the Convention, or by a vessel operated under the authority of a country that is a party to the Convention, the Secretary, acting in coordination with the Secretary of State, may refer the matter to the government of the country of the vessel's registry or nationality, or under whose authority the vessel is operating, for appropriate action, rather than taking the actions otherwise required or authorized by this title.

SEC. 407. REMEDIES NOT AFFECTED.

(a) **IN GENERAL.**—Nothing in this Act limits, denies, amends, modifies, or repeals any other remedy available to the United States.

(b) **RELATIONSHIP TO STATE AND LOCAL LAW.**—Nothing in this Act limits, denies, amends, modifies, or repeals any rights under existing law, of any State, territory, or possession of the United States, or any political subdivision thereof, to regulate any antifouling system. Compliance with the requirements of a State, territory, or possession of the United States, or political subdivision thereof related to antifouling paint or any other antifouling system does not relieve any person of the obligation to comply with this Act.

SEC. 408. REPEAL.

The Organotin Antifouling Paint Control Act of 1988 (33 U.S.C. 2401 et seq.) is repealed.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. CUMMINGS) and the gentleman from New Jersey (Mr. LOBIONDO) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 3618.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as chairman of the Subcommittee on Coast Guard and Maritime Transportation, I rise today in strong support of the Clean Hull Act of 2009, H.R. 3618, as amended, which would institute the legal changes needed to bring the United States into full compliance with the International Convention on the Control of Harmful Anti-Fouling Systems on Ships. I commend the chairman of the full Committee on Transportation and Infrastructure, Congressman OBERSTAR, for his hard work on this legislation, and for his tireless commitment to ensuring that we do all that we can to minimize the impact of our transportation systems on our environment. I also commend the ranking member of the full committee, Mr. MICA, and the ranking member of the Coast Guard Subcommittee, Congressman LOBIONDO, for their work on this legislation.

On June 10, I convened the subcommittee to examine the impact on the marine environment of the use of coatings on the hulls of ships containing the compound tributyltin, better known as TBT. Such coatings are applied to prevent hull fouling. In the maritime world, the term "fouling" is defined as the unwanted growth of biological material, such as barnacles and algae, on a surface immersed in water. Because such material can slow a ship's movement through the water and can be transferred from one body of water to another, ship owners and operators have attempted throughout the history of maritime transportation to eliminate the accumulation of such materials through a variety of methods.

In the 1960s and 70s, hull coatings were developed that had as their main ingredient the compound TBT. At that time, TBT was hailed as the best anti-fouling agent ever developed. Unfortunately, as so often happened in that period, a product that showed promise was rushed to market before the full range of its impacts on the environment was understood. Over the years, it has become clear that TBT is highly toxic to marine life, including crustaceans, fish and even marine mammals. TBT has caused alterations in oyster shells, and has caused female dog whelks, a type of snail, to begin developing male sexual characteristics. There's even some evidence that TBT is bio-accumulative, meaning that larger animals can ingest it as they consume smaller animals on the food chain. Thus, the IMO reports that traces of TBT contamination have now been found even in whales.

I note that the use of TBT is already strictly regulated by U.S. law, specifically, under the Organotin Anti-Fouling Paint Control Act of 1998. Under this Act, the sale and most applications of TBT coatings are already prohibited in the United States. However, the best way of controlling the use of

TBT is by the U.S. accession to the International Convention on the Control of Harmful Anti-Fouling Systems on Ships. The Convention was adopted by the International Maritime Organization in October of 2001 to ban the use of hull coatings that contain TBT. The Convention came into force internationally on September 17, 2008. The United States Senate gave its consent to the Convention just a few days later, in September of 2008.

H.R. 3618 would finally implement in the United States the laws that will bring our Nation into full compliance with the Convention, thus completing our ratification of the Convention. By enacting H.R. 3618, the United States can prohibit ships with TBT coatings from entering U.S. waters unless the ships have overcoatings that prevent TBT from leaching from one underlying anti-fouling system.

I also note that in order to prevent a compound like TBT from ever again entering the environment through an anti-fouling coating, the International Convention on the Control of Harmful Anti-Fouling Systems on Ships also established a system under which new anti-fouling coatings can be tested to assess the effects on the marine environment. Coatings can be added to the list of prohibited anti-fouling systems under the Convention if they are found to be harmful. H.R. 3618 authorizes the Environmental Protection Agency to participate in international technical bodies convened to assess the safety of new anti-fouling systems.

I strongly believe that it is time for us to fully implement the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, and I urge the adoption of H.R. 3618 by the House today.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, November 12, 2009.

Hon. JAMES L. OBERSTAR,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR CHAIRMAN OBERSTAR: I write to you regarding H.R. 3618, the "Clean Hull Act of 2009."

H.R. 3618 contains provisions that fall within the jurisdiction of the Committee on Homeland Security. I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I will not seek a sequential referral of the bill. However, agreeing to waive consideration of this bill should not be construed as the Committee on Homeland Security waiving, altering, or otherwise affecting its jurisdiction over subject matters contained in the bill which fall within its Rule X jurisdiction.

Further, I request your support for the appointment of an appropriate number of Members of the Committee on Homeland Security to be named as conferees during any House-Senate conference convened on H.R. 3618 or similar legislation. I also ask that a copy of this letter and your response be included in the legislative report on H.R. 3618 and in the Congressional Record during floor consideration of this bill.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, November 12, 2009.

Hon. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security, Ford House Office Building, Washington, DC.

DEAR CHAIRMAN THOMPSON: I write to you regarding H.R. 3618, the "Clean Hull Act of 2009".

I agree that provisions in H.R. 3618 are of jurisdictional interest to the Committee on Homeland Security. I acknowledge that by forgoing a sequential referral, your Committee is not relinquishing its jurisdiction and I will fully support your request to be represented in a House-Senate conference on those provisions over which the Committee on Homeland Security has jurisdiction in H.R. 3618.

This exchange of letters will be inserted in the Committee Report on H.R. 3618 and in the Congressional Record as part of the consideration of this legislation in the House.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

JAMES L. OBERSTAR,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE AND TECHNOLOGY,

Washington, DC, September 28, 2009.

Hon. JAMES L. OBERSTAR,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN OBERSTAR: I write to you regarding H.R. 3618, the Clean Hull Act of 2009. This legislation was initially referred to both the Committee on Transportation and Infrastructure and the Committee on Science and Technology.

I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner, and, accordingly, I will waive further consideration of this bill in Committee. However, agreeing to waive consideration of this bill should not be construed as the Committee on Science and Technology waiving its jurisdiction over H.R. 3618, or any similar legislation.

Further, I request your support for the appointment of Science and Technology Committee conferees during any House-Senate conference convened on this, or any similar legislation. I also ask that a copy of this letter and your response be placed in the legislative report on H.R. 3618 and the CONGRESSIONAL RECORD during consideration of this bill.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

BART GORDON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, September 29, 2009.

Hon. BART GORDON,
Chairman, Committee on Science and Technology, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN GORDON: I write to you regarding H.R. 3618, the "Clean Hull Act of 2009".

I appreciate your willingness to waive rights to further consideration of H.R. 3618,

notwithstanding the jurisdictional interest of the Committee on Science and Technology. Of course, this waiver does not prejudice any further jurisdictional claims by your Committee over this or similar legislation. Further, I will support your request to be represented in a House-Senate conference on those provisions over which the Committee on Science and Technology has jurisdiction in H.R. 3618.

This exchange of letters will be placed in the Committee Report on H.R. 3618 and inserted in the CONGRESSIONAL RECORD as part of the consideration of this legislation in the House. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

JAMES L. OBERSTAR,
Chairman.

Mr. Speaker, I reserve the balance of my time.

Mr. LOBIONDO. Mr. Speaker, I yield myself such time as I may consume.

I'd like to start off by saying that I strongly support H.R. 3618, the Clean Hull Act of 2009. I want to thank Mr. CUMMINGS and Mr. OBERSTAR for their help and cooperation in putting this bill together. The Committee on Transportation and Infrastructure first considered the topics addressed by this bill in June, and I'm very pleased to see that we're considering legislation to implement these international rules so quickly.

The bill would adopt the requirements of the International Convention on the Control of Harmful Anti-Fouling Systems on Ships for purposes of U.S. law. Under the bill, use of toxic tin-based anti-fouling paints would be prohibited. These compounds have had a very negative significant impact on marine environments when they are leached into the water column from vessels' hulls. The United States has already taken steps to prohibit the use of these compounds by prohibiting the manufacture or sale of such marine paints. The bill would complete the process by allowing the United States to join as a party to the Convention in preventing foreign vessels treated with tin-based paints from entering U.S. waters.

I appreciate the assistance that has been provided by the Coast Guard and the EPA during the process to craft this bill, and I urge all Members to support the bill.

I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I now yield 5 minutes to the distinguished chairman of the Transportation Committee, Congressman OBERSTAR of Minnesota.

Mr. OBERSTAR. Mr. Speaker, I thank the Chair of the subcommittee, Mr. CUMMINGS, for his leadership on this issue, and Mr. LOBIONDO for his participation in the hearings that we've held and the markup in the crafting of this very important legislation. It's an issue that I've been dealing with for 35 years, since I've served in the House.

I started my service, of course, on the Public Works Committee, as it was called then, but also on the Merchant Marine and Fisheries Committee, which has jurisdiction over our waters and the water environment and the ocean environment. Many years ago I gave a talk to a maritime group and quoted the poet Coleridge, citing our ocean environment and the ocean itself as deep, dark, heaving, endless and mysterious.

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Deep it is. Deeper than perhaps the Himalaya chain.

Dark in its greatest depths, heaving in the worst of storms, mysterious, and we are beginning to unlock the mysteries of the ocean.

Endless it is not. Endless has given rise to the notion we can discharge whatever refuge we have of humanity into the ocean because it is endless. It is not. The drift nets that continue to kill with no social redeeming purpose; the trash of plastic that we discharge into the oceans and that gather in a swirl where Pacific Ocean currents meet and gather thousands of square miles of plastics that are ingested by whales, and one was found starving because it had ingested so much Styrofoam it couldn't process food. It is not endless. And neither are the chemicals that we discharge into it. They don't just fall harmlessly into the bottom and go out of sight. They enter into the food chain.

I learned in my earliest service on the Merchant Marine and Fisheries Committee and on the Merchant Marine Subcommittee the need to protect the hull and vessels from fouling, that our large, deep, draft merchant vessels can accumulate up to 6,000 tons of plants—yes, plants that will grow and the accumulation on the hulls—and creatures and shellfish and, of course, the well-known and oft-referenced barnacles. And that accumulation can slow down the vessel, can cause up to a 40-percent reduction in speed and 40-percent increase in fuel.

And science was enlisted to find a coating for hulls that would inhibit plant growth, and they found one: tributyltin. And like so many of these great discoveries, it has terrible side effects. It is causing shell deformation in oysters, neurotoxic and genetic effects in other marine species, and it's been found in the fatty tissue of whales and dolphins and sharks and other sea creatures. And it just goes on into the food chain. It is like PCB on land. We have to stop this.

There is happily an international convention on toxics in the marine environment, and we need to be a part of that. We need to be a leader, even though our merchant fleet has gone downhill. From the time I was elected and took office in 1975, we had 800 merchant vessels in the fleet. We were eighth in the world's fleets. That was dead last.

But at one time we had 25 million dead weight tons of shipping, we had

5,500 merchant vessels. We were number one in the world. Well, now the Cosco, the Chinese shipping company, is the number one, they have the greatest number of vessels. They have 25 million dead weight tons of merchant shipping.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CUMMINGS. I grant the gentleman an additional 3 minutes.

Mr. OBERSTAR. I thank the gentleman.

And the Maersk fleet of Denmark now carrying 13,000 containers on vessels a thousand feet in length, and other behemoths that ply the waters. And they are all accumulating these organisms and this tributyltin material being applied to the hulls. And it's all being sloughed off into the oceans.

So while we are, as a flag-carrier nation, small in the picture, our leadership is still huge. We have to take this step, this important step to prevent the continued pollution of the oceans and of their marine life within it so that some day we can return to Coleridge and find the ocean deep, dark, heaving, endless, and mysterious; and clean, inhabitable, useful for itself and for humanity.

Mr. Speaker, I rise today in strong support of H.R. 3618, the "Clean Hull Act of 2009". I thank the gentleman from Florida (Mr. MICA), the Ranking Member of the Committee on Transportation and Infrastructure, and Coast Guard and Maritime Transportation Subcommittee Chairman CUMMINGS and Ranking Member LOBIONDO for their bipartisan support of this much needed legislation.

Enacting H.R. 3618 will make the necessary changes in U.S. law to comply with the requirements of the International Convention on the Control of Harmful Antifouling Systems on Ships (Convention), which was adopted by the International Maritime Organization in October 2001 and entered into force on September 17, 2008.

Biological fouling is the unwanted accumulation of microorganisms, plants, and animals on structures that are exposed to the marine environment. Fouling can accelerate corrosion on a vessel's hull and on offshore and coastal marine structures. Antifouling is the process of removing or preventing the accumulation of biological fouling organisms.

In less than six months, a deep draft tank vessel's hull can accumulate up to 6,000 tons of fouling material if it is not treated with an antifouling application. Such fouling can cause significant economic and environmental impacts by increasing a vessel's fuel consumption by up to 40 percent. Biological fouling has also been a conduit for the transfer of invasive species into ecosystems.

Over the past 50 years, there have been a number of antifouling substances used to treat structures, but the most toxic to date has been tributyltin (TBT). Over time, TBT has been found in marine animals (including dolphins and whales) and in the waters of marinas, ports, harbors, open seas, and oceans. TBT has caused significant environmental and monetary impact by causing shell deformations in oysters, and neurotoxic and genetic effects in other marine species.

Since 2000, the Environmental Protection Agency has prohibited the sale or application

of paints containing TBT in the United States by enforcing the Organotin Anti-Fouling Paint Control Act of 1988 (OAPCA). In OAPCA, organotin-based antifouling paints are prohibited on some vessels less than 25 meters and the leaching rate of antifouling paints on larger vessels is limited.

H.R. 3618 will ban all vessels using antifouling paint containing TBT from entering the United States, further protecting our marine environment from this dangerous chemical. It also prohibits a person from selling or distributing organotin or an antifouling system containing organotin and from applying an antifouling system containing organotin on any ship to which H.R. 3618 applies.

H.R. 3618 will give the Coast Guard and Environmental Protection Agency the authority to ban foreign-flag ships from entering the United States if they have their hulls covered with paint containing TBT. The Convention will ultimately replace the OAPCA.

I urge my colleagues to join me in supporting H.R. 3618, the "Clean Hull Act of 2009".

Mr. LOBIONDO. Mr. Speaker, I yield back the balance of my time.

Mr. CUMMINGS. I yield myself such time as I may consume.

Mr. Speaker, first of all, I want to just comment and associate myself with the words of Chairman OBERSTAR and add to them that this is our watch, this is a time that we have responsibility for this environment and it is our duty to make it even better than what we found it. I want to thank the chairman for his words. They were very inspiring.

With that, I urge the Members to vote for H.R. 3618.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. CUMMINGS) that the House suspend the rules and pass the bill, H.R. 3618, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DRIVE SAFER SUNDAY

Mr. BISHOP of New York. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 841) expressing support for designation of November 29, 2009, as "Drive Safer Sunday".

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 841

Whereas motor vehicle travel is the primary means of transportation in the United States;

Whereas the National Highway Traffic Safety Administration (NHTSA) estimates that 37,313 people, or more than 100 drivers a day, were killed in motor vehicle traffic crashes in 2008;

Whereas the term "distracted driving" refers to anything that takes your eyes, hands,

or mind away from driving, including food and beverages, traffic accidents, adjusting the radio, children, pets, objects moving in the vehicle, talking or texting on a cell phone, smoking, putting on makeup, shaving, and reading;

Whereas the NHTSA researched driver distraction with respect to both behavioral and vehicle safety countermeasures in an effort to understand and mitigate crashes associated with distracted driving;

Whereas, on September 30, 2009, the Department of Transportation (DOT) Secretary Ray LaHood announced new research findings by the NHTSA that show nearly 6,000 people died in 2008 in crashes involving a distracted or inattentive driver, and more than half a million were injured;

Whereas distracted driving was reported to have been involved in 16 percent of all fatal crashes in 2008 according to data from the Fatality Analysis Reporting System (FARS);

Whereas the age group with the greatest proportion of distracted drivers was the under-20 age group, 16 percent of all under-20 drivers in fatal crashes were reported to have been distracted while driving;

Whereas an estimated 22 percent of injury crashes were reported to have involved distracted driving, according to data from the General Estimates System (GES);

Whereas crashes in which the critical reason for the crash was attributed to the driver, approximately 18 percent involved distraction, according to the National Motor Vehicle Crash Causation Survey (NMVCCS);

Whereas during the 100-Car Naturalistic Driving Study, driver involvement in secondary tasks contributed to over 22 percent of all crashes;

Whereas everyone traveling on the roads and highways needs to drive safer to reduce deaths and injuries resulting from motor vehicle accidents;

Whereas driver behavior can be effectively changed through education and awareness; and

Whereas the Sunday after Thanksgiving is the busiest highway traffic day of the year and would be appropriate to designate as "Drive Safer Sunday": Now, therefore, be it

Resolved, That the House of Representatives—

(1) encourages—

(A) high schools, colleges, universities, administrators, teachers, primary schools, and secondary schools to launch campus-wide educational campaigns to urge students to be careful about safety when driving;

(B) national trucking firms to alert their drivers to be especially focused on driving safely during the heaviest traffic day of the year, and to publicize the importance of the day using Citizen's Band (CB) radios and in truck stops across the Nation;

(C) clergy to remind their members to travel safely when attending services and gatherings;

(D) law enforcement personnel to remind drivers and passengers to drive safer; and

(E) all people of the United States to use this as an opportunity to educate themselves about the dangers of distracted driving and highway safety; and

(2) supports the designation of "Drive Safer Sunday".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. BISHOP) and the gentleman from New Jersey (Mr. LOBIONDO) will each control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. BISHOP of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res. 841.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BISHOP of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H. Res. 841, a resolution that supports the designation of November 29, 2009, as Drive Safer Sunday, and encourages the greater education and awareness of the growing dangers caused by distracted driving on the Nation's roadways. I thank the gentleman from Pennsylvania (Mr. GERLACH) for introducing this resolution ahead of the Thanksgiving holiday as part of a growing effort to combat this dangerous trend.

Improving roadway safety is a top priority of our national transportation policy. Through the coordinated efforts of the Congress, the Department of Transportation, States, local governments, and community leaders, we can—and we must—take steps to reduce the alarming numbers of fatalities on the Nation's roadways each year.

On average over the past 5 years, over 41,500 people annually have lost their lives in vehicle crashes resulting in yearly costs of \$289 billion to the United States economy. Despite these startling statistics, the public has in many ways come to accept traffic fatalities as unavoidable.

Recently, a number of high-profile accidents have brought public scrutiny on the dangers of distracted driving, particularly texting while driving. This attention has led to a growing consensus that tasks that require drivers to divert attention from the road—such as dialing of a cell phone or sending text messages—undermine driver performance and must be combated.

According to the National Highway Traffic Safety Administration, in 2008, 5,870 people lost their lives and an estimated 515,000 people were injured in police-reported crashes in which at least one form of driver distraction was cited on the crash report. Driver distraction was reported to have been involved in 16 percent of all fatal crashes in 2008, increasing from 12 percent in 2004.

Addressing this troubling number of fatalities on our roadways will require a comprehensive approach to highway safety. That is why it is important during periods of above-average risk that we do everything in our power to inform the driving public about the importance of driving safety, remaining focused on the primary task at hand of operating a vehicle, and avoiding the many distractions that have caused so many unnecessary accidents.

This resolution brings much-needed awareness to the threats posed by roadway fatalities, particularly around the

busy Thanksgiving holiday. With drivers from every region of the U.S. traveling for the holidays, the Sunday after Thanksgiving is one of the busiest highway traffic days of the year, and one of the deadliest as well.

During the 2008 Thanksgiving season alone, 389 passenger vehicle occupants were killed in motor vehicle accidents nationwide. This Thanksgiving we can all play a role in reducing these numbers through the commonsense recommendations in this resolution.

I again thank the gentleman from Pennsylvania (Mr. GERLACH) for highlighting this important issue, and I urge my colleagues to join me in supporting H. Res. 841.

I reserve the balance of my time.

Mr. LOBIONDO. Mr. Speaker, I rise in strong support of the resolution but at this point I would like to yield to the gentleman from Pennsylvania (Mr. GERLACH) such time as he may consume.

Mr. GERLACH. Mr. Speaker, I thank the gentleman for his support of the resolution and for yielding his time.

A special thank you to my good friend from New York (Mr. BISHOP) for his leadership on this issue and also for his words this afternoon in support of this resolution, and also thanks to the chairman, Chairman OBERSTAR; the ranking member, Mr. MICA; the subcommittee chair, Mr. DEFAZIO; and subcommittee ranking member, Mr. DUNCAN, for their support of this resolution as well.

As my colleagues on the Transportation and Infrastructure Committee and I have heard at recent hearings, the issue of distracted driving has been gaining a lot of attention recently, and rightfully so. On September 30, 2009, Secretary Ray LaHood announced new research findings by the National Highway Traffic Safety Administration that show nearly 6,000 people died in 2008 in crashes involving a distracted or inattentive driver, and more than half a million were injured.

While the most recognized form of distracted driving is talking or texting on the cell phone, the term "distracted driving" actually refers to anything that takes your eyes, hands, or mind away from driving—including food and beverages, traffic accidents, adjusting the radio, children and pets in the vehicle, smoking, putting on makeup, shaving and reading—all of these behaviors need highlighting.

As my colleague from Oregon, Chairman DEFAZIO, said during our committee's hearing on distracted driving, "More research needs to be done so we can fully understand the extent of this problem, but the research that has been done shows a growing consensus the tasks that require the driver to divert their eyes from the road and/or their hands from the steering wheel pose a serious distraction that undermines driver performance."

The Department of Transportation's recent distracted driving summit put a spotlight on this issue as well. Most

car accidents are caused by drivers not paying attention according to the administration.

Improving roadway safety is a top priority not only for the Transportation and Infrastructure Committee but the House of Representatives as well. While we are still in the formative stages of establishing a Federal legislative policy consensus, it is important that we do not delay in deploying important educational and awareness outreach efforts, and this resolution attempts to do just that.

This resolution, which we have called the Drive Safer Sunday resolution, simply designates November 29, the Sunday after Thanksgiving and the busiest highway traffic day of the year, as Drive Safer Sunday and encourages all people in the country to use this as an opportunity to educate themselves and others about the dangers of distracted driving and highway safety. This resolution would encourage schools, trucking firms, clergy, and law enforcement to launch educational campaigns to urge students, members, and citizens to be careful about safety and driving.

Motor vehicle travel is the primary means of travel in the United States, and the administration estimates that 37,315 people—or more than 100 drivers a day—were killed in motor vehicle crashes in 2008. As we approach the busiest traffic day of the year, everyone traveling on the roads and highways needs to be aware of the risks associated with distracted driving and drive safer to reduce deaths and injuries resulting from motor vehicle accidents.

This resolution is a reminder of the personal responsibility each driver accepts every time they put their key in the ignition, and we can all do little things to make the roads safer and be more considerate of the other motorists.

I thank the gentleman from New York (Mr. BISHOP) for his kind support of this resolution.

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Mr. BISHOP of New York. Mr. Speaker, I yield such time as he may consume to the chairman of the Transportation Committee, the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman for yielding.

I want to thank Mr. BISHOP for his leadership on this issue, but especially the gentleman from Pennsylvania (Mr. GERLACH) who had the foresight and the tenacity of concern to draft this resolution and call national attention to the subject of safe driving, particularly on this busiest travel weekend of the year, the Thanksgiving holiday time.

It is particularly poignant to me as nearly every year our daughter, Noelle; her husband, Todd; granddaughters, Emma, Lily, and Coryn, drive from Kenosha, Wisconsin, to Washington for Thanksgiving and back, 13-plus hours

on the road. This year they are flying. My daughter Corrine and her husband, Steve, will come down from Pennsylvania near Mr. GERLACH's district and drive back, and it always bothers me there is so much traffic in the I-95 corridor which is so heavily traveled.

It takes me back to the beginning of the interstate highway system, the driving force behind the interstate. Far more than congestion on the Nation's roadways, movement of goods and people, was the prospect in 1955, the rising number of highway fatalities, that if we didn't do something, in less than a decade, more than 100,000 people would be dying on the Nation's roadways.

My predecessor, John Blatnik, who was one of the five coauthors of the interstate highway system, told me repeatedly when I was his administrative assistant that that was the driving force, the fear that we would continue to have carnage on the Nation's roadways, that drove the Congress, that pushed the Eisenhower administration to taking action to revive the study initiated under then-President Roosevelt just before the end of World War II that resulted in a recommendation of a 44,000-mile highway network for the continental United States.

Eisenhower then designated General Lucius Clay to resurrect that study. The Clay Commission came back and reported what became the National System of Interstate and Defense Highways.

Fatalities were in the range of 55,000 a year. We brought that down over 50 years to 43,000. Half of those are related to alcohol. Half of the fatal accidents are urban residents driving on rural roads not accustomed to obstructed line of sight, to blind intersections, to ground fog, to whiteouts at intersections during winter months. So half of the fatalities occur in rural areas. Half of those who die in rural areas are from urban centers.

We are all engaged together in the need for a safer driving environment. It was bad enough to have alcohol and drug abuse, but now distracted driving.

Mr. BISHOP referenced the Secretary's summit, as did Mr. GERLACH, on distracted driving just a few weeks ago. The Secretary is on his way to a conference in Moscow on safe driving. He left yesterday to lead the way among industrialized nations of the world to develop better information and take stronger action to improve safety on our roadways.

The European Commission, in 5 years, has reduced their highway fatality from 55,000 a year to 43,000 in just 5 years. A centerpiece of their action in the European Transport Ministry was to ban cell phone use. In Portugal, it is a crime to use a cell phone while driving. Whether you are involved in an accident or not, traffic police are authorized to arrest persons who can then be prosecuted as criminals for using cell phones while driving. The European community is serious about this, and we need to get serious as well.

This resolution will move us into a greater awareness, a broader general awareness of the need for improved attention to safety.

Our transportation bill that has been reported from subcommittee and ready to come to the House floor will double the investment, over 6 years, in highway safety to \$12-plus billion over 6 years. That is what we need to do. We have funding for awareness programs and we have funding for increased driver training and driver education responsibility and more truck safety. There are a whole range of initiatives that need to be undertaken and need to be funded. We need a 6-year transportation bill to do that. This administration needs to get on board with us, not spend the next year dithering about what kind of bill we need to have. We have got the bill. We have the ideas. We have the initiatives and the public support. We need to move ahead with this bill.

Thank heavens for this resolution that will increase public awareness in this very critical time of year. Many millions of our fellow citizens take to the highways. They need to take to the highways safely and come home safely.

Mr. LOBIONDO. Mr. Speaker, again I rise in strong support of the resolution and remind my colleagues that during this holiday season we have an opportunity to help remind drivers of the harmful consequences of distracted driving and that harmful consequence on loved ones and others. So I encourage all Members of Congress to join me in supporting this resolution.

I would like to insert into the CONGRESSIONAL RECORD correspondence received from the AAA organization.

TRIPLE A,

Washington, DC, November 2, 2009.

Hon. JIM GERLACH,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN GERLACH: AAA supports your resolution on distracted driving, H. Res. 841, to designate November 29, 2009, as "Drive Safer Sunday." Your effort is in line with our own work to raise public awareness of the dangers posed by distracted driving.

Recently, AAA and the AAA Foundation for Traffic Safety encouraged all drivers to participate in "Heads Up Driving Week" from October 5-11. We asked drivers to take a first step toward driving distraction-free by trying it for one week, and then continuing that good habit for life. Drivers were urged to sign a pledge committing to distraction-free driving, and were provided 10 tips on how to eliminate distractions from their daily travel. For your information, I am enclosing the 10 tips that support the campaign.

AAA has also launched a state legislative campaign to pass laws banning text messaging while driving in all 50 states by 2013. Enacting texting while driving bans is an important step in reducing the incidence of this dangerous practice among motorists nationwide. We'll also continue our work through public education, driver training, and other safety programs to discourage motorists from engaging in the broad range of distractions that tempt them while behind the wheel.

AAA and a number of other safety groups recently sent a letter urging Congress to

take a comprehensive approach to the issue of distracted driving. We urge Congress to support funding for research, data collection, public education, law enforcement and roadway countermeasures.

We support your goal of drawing public attention to the dangers of distracted driving and the importance of traffic safety. Thank you for your leadership on this important issue.

Sincerely,

JILL INGRASSIA,
Managing Director, Government Relations
and Traffic Safety Advocacy.

AAA 10 TIPS TO MINIMIZE DISTRACTED DRIVING

AAA and the AAA Foundation for Traffic Safety will be asking motorists to participate by making Heads Up Driving Week a distraction-free week of driving.

Using a cell phone, text messaging, or emailing are just some of many possible distractions that divert drivers' attention. Eating, talking with passengers, reading maps or the newspaper, writing, personal grooming, and looking at things outside the vehicle are among countless activities that could create a substantial crash risk.

Below are 10 quick and easy ways drivers can minimize distractions.

1. Plan Ahead. Read maps and check traffic conditions before you get on the road.

2. Stow Electronic Devices. Turn off your phone before you drive so you won't be tempted to use it while on the road. Pull over to a safe place to talk on the phone or to send and receive text messages or emails.

3. Prepare Kids and Pets for the Trip. Get the kids safely buckled in and situated with snacks and entertainment before you start driving. If they need additional attention during the trip, pull off the road safely to care for them. Similarly, prepare and secure pets appropriately in your vehicle before getting underway.

4. Satisfy that Craving Off the Road. Eat meals and snacks before getting behind the wheel, or stop to eat and take a break if driving long-distance.

5. Store Loose Gear and Possessions. Stash away loose objects that could roll around and take your attention away from driving.

6. Get Your Vehicle Road-Ready. Adjust seat positions, climate controls, sound systems and other devices before you leave or while your vehicle is stopped. Make sure your headlights are spotless so you can see everything on the road and every other driver can see you better.

7. Dress for Success Before You Get in the Car. Your car isn't a dressing room. Brush your hair, shave, put on make-up, and tie your necktie before you leave or once you reach your destination.

8. Get Your Brain in the Game. Focus on the task at hand—driving safely. Scan the road, use mirrors and practice commentary driving, identifying orally events and conditions you may have to react to. Really focusing on maintaining your thoughts about the road, when you're on the road, can help enhance your engagement, your overall awareness and behavior as a driver, and help you see the importance of "being in the game."

9. Evaluate Your Own Behavior From the Other Side of the Road. When you're on the road as a passenger or a pedestrian, take a look around and honestly evaluate whether you might have some of the same driving behaviors as those who you're a little worried about as a passenger or pedestrian.

10. Enlist Passengers. Ask a passenger to help you with activities that may be distracting.

These tips and further information about distracted driving are available at www.AAAFoundation.org/HeadsUp.

I yield back the balance of my time.

Mr. BISHOP of New York. Mr. Speaker, let me just close by thanking the gentleman from Pennsylvania (Mr. GERLACH) for his leadership on this issue. Let me also thank the chairman of the committee, Mr. OBERSTAR, for moving this resolution through the committee so rapidly and bringing it to the floor so quickly. Let me also echo the chairman's comments with respect to the urgency and the desirability of passing a robust reauthorization of the highway transportation bill as quickly as we possibly can.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BISHOP) that the House suspend the rules and agree to the resolution, H. Res. 841.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. BISHOP of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

CRUISE VESSEL SECURITY AND SAFETY ACT OF 2009

Mr. CUMMINGS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3360) to amend title 46, United States Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3360

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Cruise Vessel Security and Safety Act of 2009".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Cruise vessel security and safety requirements.
- Sec. 4. Study and report on the security needs of passenger vessels.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) There are approximately 200 overnight ocean-going cruise vessels worldwide. The average ocean-going cruise vessel carries 2,000 passengers with a crew of 950 people.

(2) In 2007 alone, approximately 12,000,000 passengers were projected to take a cruise worldwide.

(3) Passengers on cruise vessels have an inadequate appreciation of their potential vulnerability to crime while on ocean voyages, and those who may be victimized lack the information they need to understand their legal rights or to know whom to contact for help in the immediate aftermath of the crime.

(4) Sexual violence, the disappearance of passengers from vessels on the high seas, and other serious crimes have occurred during luxury cruises.

(5) Over the last 5 years, sexual assault and physical assaults on cruise vessels were the leading crimes investigated by the Federal Bureau of Investigation with regard to cruise vessel incidents.

(6) These crimes at sea can involve attacks both by passengers and crew members on other passengers and crew members.

(7) Except for United States flagged vessels, or foreign flagged vessels operating in an area subject to the direct jurisdiction of the United States, there are no Federal statutes or regulations that explicitly require cruise lines to report alleged crimes to United States Government officials.

(8) It is not known precisely how often crimes occur on cruise vessels or exactly how many people have disappeared during ocean voyages because cruise line companies do not make comprehensive, crime-related data readily available to the public.

(9) Obtaining reliable crime-related cruise data from governmental sources can be difficult, because multiple countries may be involved when a crime occurs on the high seas, including the flag country for the vessel, the country of citizenship of particular passengers, and any countries having special or maritime jurisdiction.

(10) It can be difficult for professional crime investigators to immediately secure an alleged crime scene on a cruise vessel, recover evidence of an onboard offense, and identify or interview potential witnesses to the alleged crime.

(11) Most cruise vessels that operate into and out of United States ports are registered under the laws of another country, and investigations and prosecutions of crimes against passengers and crew members may involve the laws and authorities of multiple nations.

(12) The Coast Guard has found it necessary to establish 500-yard security zones around cruise vessels to limit the risk of terrorist attack. Recently piracy has dramatically increased throughout the world.

(13) To enhance the safety of cruise passengers, the owners of cruise vessels could upgrade, modernize, and retrofit the safety and security infrastructure on such vessels by installing peep holes in passenger room doors, installing security video cameras in targeted areas, limiting access to passenger rooms to select staff during specific times, and installing acoustic hailing and warning devices capable of communicating over distances.

SEC. 3. CRUISE VESSEL SECURITY AND SAFETY REQUIREMENTS.

(a) IN GENERAL.—Chapter 35 of title 46, United States Code, is amended by adding at the end the following:

“§ 3507. Passenger vessel security and safety requirements

“(a) VESSEL DESIGN, EQUIPMENT, CONSTRUCTION, AND RETROFITTING REQUIREMENTS.—

“(1) IN GENERAL.—Each vessel to which this subsection applies shall comply with the following design and construction standards:

“(A) The vessel shall be equipped with ship rails that are located not less than 42 inches above the cabin deck.

“(B) Each passenger stateroom and crew cabin shall be equipped with entry doors that include peep holes or other means of visual identification.

“(C) For any vessel the keel of which is laid after the date of enactment of the Cruise Vessel Security and Safety Act of 2009, each passenger stateroom and crew cabin shall be equipped with—

“(i) security latches; and

“(ii) time-sensitive key technology.

“(D) The vessel shall integrate technology that can be used for capturing images of passengers or detecting passengers who have fallen overboard, to the extent that such technology is available.

“(E) The vessel shall be equipped with a sufficient number of operable acoustic hailing or other such warning devices to provide communication capability around the entire vessel when operating in high risk areas (as defined by the Coast Guard).

“(2) FIRE SAFETY CODES.—In administering the requirements of paragraph (1)(C), the Secretary shall take into consideration fire safety and other applicable emergency requirements established by the Coast Guard and under international law, as appropriate.

“(3) EFFECTIVE DATE.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the requirements of paragraph (1) shall take effect 18 months after the date of enactment of the Cruise Vessel Security and Safety Act of 2009.

“(B) LATCH AND KEY REQUIREMENTS.—The requirements of paragraph (1)(C) take effect on the date of enactment of the Cruise Vessel Security and Safety Act of 2009.

“(b) VIDEO RECORDING.—

“(1) REQUIREMENT TO MAINTAIN SURVEILLANCE.—The owner of a vessel to which this section applies shall maintain a video surveillance system to assist in documenting crimes on the vessel and in providing evidence for the prosecution of such crimes, as determined by the Secretary.

“(2) ACCESS TO VIDEO RECORDS.—The owner of a vessel to which this section applies shall provide to any law enforcement official performing official duties in the course and scope of an investigation, upon request, a copy of all records of video surveillance that the official believes may provide evidence of a crime reported to law enforcement officials.

“(c) SAFETY INFORMATION.—The owner of a vessel to which this section applies shall provide in each passenger stateroom, and post in a location readily accessible to all crew and in other places specified by the Secretary, information regarding the locations of the United States embassy and each consulate of the United States for each country the vessel will visit during the course of the voyage.

“(d) SEXUAL ASSAULT.—The owner of a vessel to which this section applies shall—

“(1) maintain on the vessel adequate, in-date supplies of anti-retroviral medications and other medications designed to prevent sexually transmitted diseases after a sexual assault;

“(2) maintain on the vessel equipment and materials for performing a medical examination in sexual assault cases to evaluate the patient for trauma, provide medical care, and preserve relevant medical evidence;

“(3) make available on the vessel at all times medical staff who have undergone a credentialing process to verify that he or she—

“(A) possesses a current physician's or registered nurse's license and—

“(i) has at least 3 years of post-graduate or post-registration clinical practice in general and emergency medicine; or

“(ii) holds board certification in emergency medicine, family practice medicine, or internal medicine;

“(B) is able to provide assistance in the event of an alleged sexual assault, has received training in conducting forensic sexual assault examination, and is able to promptly perform such an examination upon request and provide proper medical treatment of a victim, including administration of anti-retroviral medications and other medications that may prevent the transmission of

human immunodeficiency virus and other sexually transmitted diseases; and

“(C) meets guidelines established by the American College of Emergency Physicians relating to the treatment and care of victims of sexual assault;

“(4) prepare, provide to the patient, and maintain written documentation of the findings of such examination that is signed by the patient; and

“(5) provide the patient free and immediate access to—

“(A) contact information for local law enforcement, the Federal Bureau of Investigation, the Coast Guard, the nearest United States consulate or embassy, and the National Sexual Assault Hotline program or other third party victim advocacy hotline service; and

“(B) a private telephone line and Internet-accessible computer terminal by which the individual may confidentially access law enforcement officials, an attorney, and the information and support services available through the National Sexual Assault Hotline program or other third party victim advocacy hotline service.

“(e) CONFIDENTIALITY OF SEXUAL ASSAULT EXAMINATION AND SUPPORT INFORMATION.—The master or other individual in charge of a vessel to which this section applies shall—

“(1) treat all information concerning an examination under subsection (d) confidential, so that no medical information may be released to the cruise line or other owner of the vessel or any legal representative thereof without the prior knowledge and approval in writing of the patient, or, if the patient is unable to provide written authorization, the patient's next-of-kin, except that nothing in this paragraph prohibits the release of—

“(A) information, other than medical findings, necessary for the owner or master of the vessel to comply with the provisions of subsection (g) or other applicable incident reporting laws;

“(B) information to secure the safety of passengers or crew on board the vessel; or

“(C) any information to law enforcement officials performing official duties in the course and scope of an investigation; and

“(2) treat any information derived from, or obtained in connection with, post-assault counseling or other supportive services confidential, so no such information may be released to the cruise line or any legal representative thereof without the prior knowledge and approval in writing of the patient, or, if the patient is unable to provide written authorization, the patient's next-of-kin.

“(f) CREW ACCESS TO PASSENGER STATEROOMS.—The owner of a vessel to which this section applies shall—

“(1) establish and implement procedures and restrictions concerning—

“(A) which crew members have access to passenger staterooms; and

“(B) the periods during which they have that access; and

“(2) ensure that the procedures and restrictions are fully and properly implemented and periodically reviewed.

“(g) LOG BOOK AND REPORTING REQUIREMENTS.—

“(1) IN GENERAL.—The owner of a vessel to which this section applies shall—

“(A) record in a log book, either electronically or otherwise, in a centralized location readily accessible to law enforcement personnel, a report on—

“(i) all complaints of crimes described in paragraph (3)(A)(i),

“(ii) all complaints of theft of property valued in excess of \$1,000, and

“(iii) all complaints of other crimes, committed on any voyage that embarks or disembarks passengers in the United States; and

“(B) make such log book available upon request to any agent of the Federal Bureau of Investigation, any member of the Coast Guard, and any law enforcement officer performing official duties in the course and scope of an investigation.

“(2) DETAILS REQUIRED.—The information recorded under paragraph (1) shall include, at a minimum—

“(A) the vessel operator;

“(B) the name of the cruise line;

“(C) the flag under which the vessel was operating at the time the reported incident occurred;

“(D) the age and gender of the victim and the accused assailant;

“(E) the nature of the alleged crime or complaint, as applicable, including whether the alleged perpetrator was a passenger or a crew member;

“(F) the vessel's position at the time of the incident, if known, or the position of the vessel at the time of the initial report;

“(G) the time, date, and method of the initial report and the law enforcement authority to which the initial report was made;

“(H) the time and date the incident occurred, if known;

“(I) the total number of passengers and the total number of crew members on the voyage; and

“(J) the case number or other identifier provided by the law enforcement authority to which the initial report was made.

“(3) REQUIREMENT TO REPORT CRIMES AND OTHER INFORMATION.—

“(A) IN GENERAL.—The owner of a vessel to which this section applies (or the owner's designee)—

“(i) shall contact the nearest Federal Bureau of Investigation Field Office or Legal Attache by telephone as soon as possible after the occurrence on board the vessel of an incident involving homicide, suspicious death, a missing United States national, kidnapping, assault with serious bodily injury, any offense to which section 2241, 2242, 2243, or 2244 (a) or (c) of title 18 applies, firing or tampering with the vessel, or theft of money or property in excess of \$10,000 to report the incident;

“(ii) shall furnish a written report of the incident to the Secretary via an Internet based portal;

“(iii) may report any serious incident that does not meet the reporting requirements of clause (i) and that does not require immediate attention by the Federal Bureau of Investigation via the Internet based portal maintained by the Secretary of Transportation; and

“(iv) may report any other criminal incident involving passengers or crew members, or both, to the proper State or local government law enforcement authority.

“(B) INCIDENTS TO WHICH SUBPARAGRAPH (A) APPLIES.—Subparagraph (A) applies to an incident involving criminal activity if—

“(i) the vessel, regardless of registry, is owned, in whole or in part, by a United States person, regardless of the nationality of the victim or perpetrator, and the incident occurs when the vessel is within the admiralty and maritime jurisdiction of the United States and outside the jurisdiction of any State;

“(ii) the incident concerns an offense by or against a United States national committed outside the jurisdiction of any nation;

“(iii) the incident occurs in the Territorial Sea of the United States, regardless of the nationality of the vessel, the victim, or the perpetrator; or

“(iv) the incident concerns a victim or perpetrator who is a United States national on a vessel during a voyage that departed from or will arrive at a United States port.

“(4) AVAILABILITY OF INCIDENT DATA VIA INTERNET.—

“(A) WEBSITE.—The Secretary of Transportation shall maintain a statistical compilation of all incidents described in paragraph (3)(A)(i) on an Internet site that provides a numerical accounting of the missing persons and alleged crimes recorded in each report filed under paragraph (3)(A)(i) that are no longer under investigation by the Federal Bureau of Investigation. The data shall be updated no less frequently than quarterly, aggregated by—

“(i) cruise line, with each cruise line identified by name; and

“(ii) whether each crime was committed by a passenger or a crew member.

“(B) ACCESS TO WEBSITE.—Each cruise line taking on or discharging passengers in the United States shall include a link on its Internet website to the website maintained by the Secretary under subparagraph (A).

“(h) ENFORCEMENT.—

“(1) PENALTIES.—

“(A) CIVIL PENALTY.—Any person that violates this section or a regulation under this section shall be liable for a civil penalty of not more than \$25,000 for each day during which the violation continues, except that the maximum penalty for a continuing violation is \$50,000.

“(B) CRIMINAL PENALTY.—Any person that knowingly fails to record in a log book or to make a log book available in accordance with subsection (g)(1), or to report in accordance with subsection (g)(3), shall be fined not more than \$250,000 or imprisoned not more than 1 year, or both.

“(2) DENIAL OF ENTRY.—The Secretary may deny entry into the United States to a vessel to which this section applies if the owner of the vessel—

“(A) commits an act or omission for which a penalty may be imposed under this subsection; or

“(B) fails to pay a penalty imposed on the owner under this subsection.

“(i) PROCEDURES.—Within 6 months after the date of enactment of the Cruise Vessel Security and Safety Act of 2009, the Secretary shall issue guidelines, training curricula, and inspection and certification procedures necessary to carry out the requirements of this section.

“(j) REGULATIONS.—The Secretary of Transportation and the Commandant shall each issue such regulations as are necessary to implement this section.

“(k) APPLICATION.—

“(1) IN GENERAL.—This section and section 3508 apply to a passenger vessel (as defined in section 2101(22)) that—

“(A) is authorized to carry at least 250 passengers;

“(B) has onboard sleeping facilities for each passenger;

“(C) is on a voyage that embarks or disembarks passengers in the United States; and

“(D) is not engaged on a coastwise voyage.

“(2) FEDERAL AND STATE VESSELS.—This section and section 3508 do not apply to a vessel that is owned and operated by the United States Government or a vessel that is owned and operated by a State.

“(1) OWNER DEFINED.—In this section and section 3508, the term ‘owner’ means the owner, charterer, managing operator, master, or other individual in charge of a vessel.

“§ 3508. Crime scene preservation training for passenger vessel crew members

“(a) IN GENERAL.—Within 1 year after the date of enactment of the Cruise Vessel Security and Safety Act of 2009, the Secretary, in consultation with the Director of the Federal Bureau of Investigation and the Maritime Administrator, shall develop training

standards and curricula to allow for the certification of passenger vessel security personnel, crew members, and law enforcement officials on the appropriate methods for prevention, detection, evidence preservation, and reporting of criminal activities in the international maritime environment. The Administrator of the Maritime Administration may certify organizations in the United States and abroad that offer the curriculum for training and certification under subsection (c).

“(b) MINIMUM STANDARDS.—The standards established by the Secretary under subsection (a) shall include—

“(1) the training and certification of vessel security personnel, crew members, and law enforcement officials in accordance with accepted law enforcement and security guidelines, policies, and procedures, including recommendations for incorporating a background check process for personnel trained and certified in foreign countries;

“(2) the training of students and instructors in all aspects of prevention, detection, evidence preservation, and reporting of criminal activities in the international maritime environment; and

“(3) the provision or recognition of off-site training and certification courses in the United States and foreign countries to develop and provide the required training and certification described in subsection (a) and to enhance security awareness and security practices related to the preservation of evidence in response to crimes on board passenger vessels.

“(c) CERTIFICATION REQUIREMENT.—Beginning 2 years after the standards are established under subsection (b), no vessel to which this section applies may enter a United States port on a voyage (or voyage segment) on which a United States citizen is a passenger unless there is at least 1 crew member onboard who is certified as having successfully completed training in the prevention, detection, evidence preservation, and reporting of criminal activities in the international maritime environment on passenger vessels under subsection (a).

“(d) INTERIM TRAINING REQUIREMENT.—No vessel to which this section applies may enter a United States port on a voyage (or voyage segment) on which a United States citizen is a passenger unless there is at least 1 crew member onboard who has been properly trained in the prevention, detection, evidence preservation and the reporting requirements of criminal activities in the international maritime environment. The owner of such a vessel shall maintain certification or other documentation, as prescribed by the Secretary, verifying the training of such individual and provide such documentation upon request for inspection in connection with enforcement of the provisions of this section. This subsection shall take effect 1 year after the date of enactment of the Cruise Vessel Security and Safety Act of 2009 and shall remain in effect until superseded by the requirements of subsection (c).

“(e) CIVIL PENALTY.—Any person that violates this section or a regulation under this section shall be liable for a civil penalty of not more than \$50,000.

“(f) DENIAL OF ENTRY.—The Secretary may deny entry into the United States to a vessel to which this section applies if the owner of the vessel—

“(1) commits an act or omission for which a penalty may be imposed under subsection (e); or

“(2) fails to pay a penalty imposed on the owner under subsection (e).”.

(b) CLERICAL AMENDMENT.—The table of contents for such chapter is amended by adding at the end the following:

"3507. Passenger vessel security and safety requirements.

"3508. Crime scene preservation training for passenger vessel crew members.".

SEC. 4. STUDY AND REPORT ON THE SECURITY NEEDS OF PASSENGER VESSELS.

(a) IN GENERAL.—Within 3 months after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall conduct a study of the security needs of passenger vessels depending on number of passengers on the vessels, and report to the Congress findings of the study and recommendations for improving security on those vessels.

(b) REPORT CONTENTS.—In recommending appropriate security on those vessels, the report shall take into account typical crew member shifts, working conditions of crew members, and length of voyages.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. CUMMINGS) and the gentleman from New Jersey (Mr. LOBIONDO) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3360.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of the Cruise Vessel Security and Safety Act of 2009, H.R. 3360, as amended.

This legislation, authored by Congresswoman DORIS MATSUI, would require that cruise vessels calling on the United States take reasonable steps to improve the physical safety and security of their vessels. The legislation also would require cruise vessels to report to U.S. authorities allegations of specific crimes on cruise ships.

Almost all of the nearly 200 cruise vessels embarking and disembarking passengers in the United States are registered in foreign countries. As a result, U.S. laws apply directly to these vessels and to those sailing on these vessels only when they are sailing in U.S. waters.

While available statistics suggest that crime is infrequent on cruise vessels, many Americans do not realize, when they step on a cruise ship, they are stepping on what becomes a floating piece of some other country's jurisdiction as soon as it is more than 12 miles from United States shores.

Unfortunately, for those who are the victims of crime on cruise vessels, the implications of this reality become clear only after they learn that the laws applying to the cruise vessels may not and often do not extend to them the kinds of protections United States laws would extend.

Additionally, the unique circumstances of life at sea, particularly if a vessel is far from the kinds of law

enforcement resources that are available on land, often make the prosecution of those accused of committing a crime on a cruise ship very difficult. As a result, though crime is infrequent on cruise vessels, so are prosecutions of those accused of crimes.

As chairman of the Subcommittee on Coast Guard and Maritime Transportation, I held two hearings to examine the issue of crime on cruise ships. I believe H.R. 3360 responds directly to the problems we examined in our hearings by requiring reasonable alteration in vessel design, equipment, and construction standards to increase the physical safety and security of passengers. For example, H.R. 3360 requires that cruise vessels install peepholes or similar features in cabin doors so passengers can identify who is at their door without having to open it. H.R. 3360 also requires that cruise vessels have railings that are at least 42 inches high to help prevent passengers from falling overboard.

To ensure that those who are victims of sexual assaults have immediate access to state-of-the-art medical care, H.R. 3360 requires that cruise ships have onboard trained personnel who can provide treatment to assault victims, collect evidence to support prosecutions, and administer antiretroviral medications as soon as possible. The legislation also requires that a store of such medications be maintained on cruise vessels.

H.R. 3360 also specifies certain crimes that must be reported to U.S. authorities, and it requires the Secretary of Transportation to maintain an Internet site that provides a numerical accounting of the crimes reported to U.S. authorities. Such statistics will be aggregated by individual cruise lines, and cruise lines will be required to maintain a link to the site on their own Web pages.

Again, Mr. Speaker, I applaud the work of the gentlewoman from California (Ms. MATSUI) who has worked tirelessly on this issue and given it just a tremendous, tremendous effort. I applaud her and thank her on behalf of the Congress and a grateful Nation.

I urge all of the Members of the House to join me in passing H.R. 3360, as amended.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, November 12, 2009.

Hon. JAMES L. OBERSTAR,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN OBERSTAR, I write to you regarding H.R. 3360, the "Cruise Vessel Security and Safety Act of 2009."

H.R. 3360 contains provisions that fall within the jurisdiction of the Committee on Homeland Security. I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I will not seek a sequential referral of the bill. However, agreeing to waive consideration of this bill should not be construed as the Committee on Homeland Security waiving, altering, or otherwise affecting its jurisdiction over subject matters contained in the bill which fall within its Rule X jurisdiction.

Further, I request your support for the appointment of an appropriate number of Members of the Committee on Homeland Security to be named as conferees during any House-Senate conference convened on H.R. 3360 or similar legislation. I also ask that a copy of this letter and your response be included in the legislative report on H.R. 3360 and in the Congressional Record during floor consideration of this bill.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Washington, DC, November 12, 2009.

Hon. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security, Washington, DC.

DEAR CHAIRMAN THOMPSON, I write to you regarding H.R. 3360, the "Cruise Vessel Security and Safety Act of 2009".

I agree that provisions in H.R. 3360 are of jurisdictional interest to the Committee on Homeland Security. I acknowledge that by forgoing a sequential referral, your Committee is not relinquishing its jurisdiction and I will fully support your request to be represented in a House-Senate conference on those provisions over which the Committee on Homeland Security has jurisdiction in H.R. 3618.

This exchange of letters will be inserted in the Committee Report on H.R. 3360 and in the Congressional Record as part of the consideration of this legislation in the House.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

JAMES L. OBERSTAR, M.C.,
Chairman.

I reserve the balance of my time.

Mr. LOBIONDO. Mr. Speaker, I rise in support of H.R. 3360, the Cruise Vessel Security and Safety Act of 2009, and yield myself such time as I may consume.

I would like to state that I believe this language is a significant improvement over legislation that was considered by the House in the 110th Congress and mirrors language currently awaiting final action in the Senate.

□ 1315

The provisions of this legislation were also included as part of H.R. 3619, the Coast Guard Authorization Act of 2010, which the House overwhelmingly approved last month.

For several years the Committee on Coast Guard and Maritime Transportation has closely examined the factors impacting the safety and security of American citizens aboard cruise ships that operate in and out of U.S. ports. H.R. 3360 makes commonsense improvements which will enhance safeguards for passengers during a cruise. While no level of procedural or structural modifications can prevent all incidents from occurring, I believe this bill will significantly enhance the capabilities of both passengers and cruise lines in the future.

The bill will also codify an agreement between the FBI and cruise lines which will require cruise operators to

immediately notify Federal law enforcement agencies of major incidents that occur aboard a vessel.

I support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield 4 minutes to the gentlewoman from California (Ms. MATSUI), who is the sponsor of the bill and who has been so helpful to our committee and our subcommittee on this issue.

Ms. MATSUI. I thank the gentleman from Maryland, who has been such a leader in all of this.

Mr. Speaker, I rise today in support of H.R. 3360, the Cruise Vessel Safety and Security Act, legislation that I introduced earlier this year. I want to thank both Chairman OBERSTAR and Chairman CUMMINGS for the good work their committees have done on this bill and for their tremendous support to enact this critical legislation.

There is an urgent need for the reform I have outlined in the Cruise Vessel Safety and Security Act. For far too long, American families have unknowingly been at risk when embarking on cruise vacations. Unfortunately, the status quo has allowed cruise ships to operate under foreign flags of convenience, and they are not required under U.S. law to report crimes occurring outside of our territorial waters. But leaving our territorial waters does not mean that cruise ships should be allowed to operate without basic laws that protect American citizens.

My legislation requires that all crimes that occur aboard cruise ships be reported to the Coast Guard and to the FBI. Without proper screening processes and accountability, these reprehensible and violent acts will be allowed to continue. Unclear lines of jurisdiction are no longer an excuse for risking the safety of millions of Americans who board cruise ships each year.

I first became aware of the need for increased protections for Americans when one of my constituents, Laurie Dishman, wrote to me for help in April of 2006. Laurie was a victim of a sexual assault while on a cruise vacation. She was given no assistance by the cruise line in properly securing evidence of the assault, no assistance in identifying her attacker, no assistance in prosecuting the crime once back on shore.

Devastated, Laurie reached out to me, and I immediately called for hearings on this issue and began to work on this legislation. Our hearings made apparent the gross inadequacies of current cruise safety provisions; and with ongoing news coverage of recent rapes on cruise ships, it is clear that this legislation is urgent and necessary.

My legislation establishes stringent new standards to ensure the safety and security of passengers on cruise vessels. Its reforms include reporting that vessel personnel be able to preserve evidence of crimes committed on the vessels and provide appropriate medical treatment to the victims of sexual

assaults. Security, safety, and accountability must all be strengthened to hold criminals accountable and end the cycle of serious crimes on cruise ships.

This has been a long, difficult road for all cruise victims and their families, and this legislation is truly a result of their courage, their dedication, and their conviction to prevent further crimes from happening. These reforms are long overdue, common sense, and are supported by the Cruise Line Industry Association and was included in the Coast Guard Authorization Act that passed this year.

I urge my colleagues to vote in support of this important legislation and join me in paving a path for a safer future for all cruise passengers.

Mr. LOBIONDO. Mr. Speaker, I am very happy to yield 5 minutes to my colleague from Arizona (Mr. SHADEGG).

Mr. SHADEGG. I thank the gentleman for yielding.

Mr. Speaker, I rise in very strong support of this critically needed legislation, the Cruise Vessel Security and Safety Act; and I want to compliment the author of the legislation, Ms. MATSUI, for her efforts. Like her, I have a tragic story that has been brought to my attention which will be addressed by this legislation, and I want to make it clear how important I believe this legislation is to millions of potential victims who go unknowingly onto cruise ships.

Merrian Carver, the daughter of one my constituents, Ken Carver, was a vibrant young woman who had her entire life ahead of her. Tragically, at the age of 40, she disappeared from a cruise ship in August of 2004 and was never found. That would be bad enough in itself, but it is the outrageous conduct afterward which this legislation addresses. There have already been comments about the lack of supervision or safety or the lack of protection of the law, but in this instance there was callous disregard.

The steward of the ship knew she was onboard and that she had used her room the first night, and he conscientiously reported that she did not use her room again any of the subsequent nights. She had gone missing on the second day of the cruise, and nothing was done. No law enforcement officials were contacted. No family members were contacted. Nothing was done. In essence, the steward was told, Be quiet and mind your own business.

At the end of the trip, Merrian's personal effects were simply boxed up. The FBI was not notified. The family was not notified.

Ultimately, Merrian's family, in a desperate effort, was forced to hire a law firm and a private investigator. Again, however, they met with resistance and unnecessary delays in response by the cruise ship. It took days to confirm that Merrian had, in fact, boarded the ship, and video confirmed that she had boarded the ship. And it took even more time to get permission to interview the steward.

She had not been in her room for 5 days, and her absence had simply gone unreported and unacted upon. Her family hired a private investigator, and he was resisted in his efforts to talk to people on the ship. Ultimately, the law firm that they retained obtained a court order to interview the steward and other personnel responsible.

This simply should not happen on ships that call on American ports. It should never happen, and Americans need to be aware. Again, I compliment Ms. MATSUI.

This legislation takes important and reasonable steps to protect Americans and all citizens when they board these ships. Cruise ships have a duty of responsibility to the people who board them. This will make those cruise ships more accountable and safer. It will, as has been mentioned, require some video surveillance to monitor crime onboard. It will require crime scene investigation training and certification for some cruise vessel crew members. It will require other provisions to ensure that if one of our loved ones goes missing on a cruise ship, they are notified.

Importantly, it will require the preservation of evidence. Like Ms. MATSUI's constituent who was the victim of a rape, this legislation will require that rape kits be kept onboard in case such a tragic event happens again.

This is critically needed legislation. It has followed somewhat of a tortured path. It came across this floor once before, and its ultimate enactment into law was jeopardized by being coupled with other legislation.

I compliment the chairman of the subcommittee and the chairman of the full committee and the ranking member. I think it is essential that this legislation be enacted, and I compliment you for separating it for a stand-alone vote.

Mr. CUMMINGS. Mr. Speaker, I yield 2½ minutes to the gentlewoman from California (Ms. RICHARDSON). She is a strong member of our subcommittee and certainly one who has championed this cause too.

Ms. RICHARDSON. Mr. Speaker, I rise in strong support of H.R. 3360, the Cruise Vessel Security and Safety Act of 2009, which will address cruise safety in many of our communities. I would like to thank Chairmen OBERSTAR and CUMMINGS and my colleague Ms. MATSUI from California for bringing forward this issue that we've all talked about and are now glad to see finally come to the floor again.

Cruise ships are enjoyed by approximately 10 million Americans every year, and many of them come to my district in the Ports of Long Beach and Los Angeles. This bill will take many steps towards preventing crimes on cruise ships and ensuring that those crimes that are committed, the people who do those deeds, will find justice.

By enacting measures such as installing peepholes on doors, basic things like increasing video surveillance, and

keeping better records of incidents that do occur will make our seas safer and really cause the cruise to be a vacation as advertised.

I applaud the bill's emphasis on safety and health. It will ensure that a sufficient number of physicians are aboard every ship and that ships have appropriate up-to-date supplies of anti-retroviral medications. Just a few weeks ago, I met with some of the members of the cruise ship industry and talked to them about what they're doing to prepare for the H1N1 virus.

Now is the time. We have long put people in jeopardy of not really having the appropriate safety regulations and measures, and I applaud this Congress and our chairmen for bringing it forward today.

Mr. LOBIONDO. Mr. Speaker, I am now pleased to yield 5 minutes to my colleague from Texas (Mr. POE).

Mr. POE of Texas. Mr. Speaker, I appreciate the gentleman from New Jersey yielding time and his work on this legislation and, of course, the chairman from Maryland and his work as well, but also the gentlewoman from California (Ms. MATSUI), who has been a relentless advocate of protecting citizens that are on cruise lines.

I recently was a cosponsor of similar legislation, H.R. 1485, the Cruise Vessel Security Act of 2009, that was passed by this House. And this bill, H.R. 3360, the Cruise Vessel Security and Safety Act of 2009, makes cruise lines more accountable when passengers become victims of crime at sea.

Every year cruise line companies carry over 10 million American citizens to and from America's ports, and these cruise lines promise Americans safety, security, fun, relaxation aboard their ships. But sometimes that is not the whole story.

In 2007 the Los Angeles Times published an article disclosing sexual assault data that was provided by Royal Caribbean International as part of a civil lawsuit. The article's disturbing and startling report showed that over a 32-month period, Royal Caribbean reported over 250 incidents of sexual assault, battery, and harassment. Cruise companies have been forced to pay millions of dollars in order to settle civil lawsuits filed in American courts for failing to protect American passengers. Congressional testimony by victims of sexual assault on cruise ships exposes so much more than the cruise lines have really told us.

Most disturbing from this testimony were from female victims that were sexually assaulted by crew members on the high seas. Almost 40 percent of the crimes were committed by cruise company employees. And as the gentlewoman from California has pointed out, her constituent Laurie Dishman in 2006 was sexually assaulted by a man on the cruise ship who was a security officer.

This individual, Laurie Dishman, reported the incident, and the cruise line did absolutely nothing. When the

cruise was over with, she met with the FBI and explained her case, and after several days she later received a phone call saying that the Department of Justice would not prosecute her case and that the FBI had closed the investigation and gave her no explanation.

So then she wrote a letter to Royal Caribbean Cruise Lines, and they wrote her back, Mr. Speaker, thanking her for her business and even had the audacity to send her a coupon for future trips on their cruise line.

I commend Ms. Dishman for bringing this whole issue before Congress and especially Ms. MATSUI, her Representative from California, for exposing these atrocities to the American public and to this Congress. If these U.S.-based cruise ship companies who own and operate foreign flag passenger vessels want to access the millions of Americans who travel their cruise ships every year, they should be required to implement proper safety and security improvements for all travelers.

The U.S. Government also needs to ensure that American citizens and American families are safe when they travel on cruise ships departing from our ports. And when crimes are reported on the high seas, the perpetrators should be accountable.

As chairman of the Victims' Rights Caucus, I strongly support this legislation.

□ 1330

Mr. CUMMINGS. Mr. Speaker, I yield 5 minutes to the distinguished chairman of our committee, the gentleman from Minnesota (Mr. OBERSTAR). I want to thank him as he rises for all of his hard work.

Mr. OBERSTAR. Mr. Speaker, I thank the chairman, Mr. CUMMINGS, for the prodigious work done, the hearing preparation, not just the hearing, but preparation for the hearing, gathering the information and steeping himself in the subject of the hearing and gathering all the data, and then working to shape the ultimate legislation. He has done a superb job, as has Mr. LOBIONDO, our ranking member, and former chairman of the subcommittee.

I especially want to thank Ms. MATSUI for her work at the behest of her constituent, having heard this terrible experience her constituent went through on that cruise experience. She then had the courage to testify at our committee hearing. That's really extraordinary. So determined was she to see justice done, to change the culture aboard cruise ships, the indifference we saw in this particular case, the indifference spread throughout this industry, to the plight of the rare but nonetheless experiences that cruise passengers go through. Some 10.5 million took a cruise vacation in 2007. That's a very sizable number of our constituency nationwide.

There is only one U.S.-flagged cruise line, cruise vessel, I should say. There are over 200 cruise vessels that are registered under foreign flags. When crime

occurs aboard those vessels, as was said earlier by both Mr. CUMMINGS and Mr. LOBIONDO, it's on the high seas, beyond the jurisdiction of the United States. But when that vessel comes into port, it is under our law.

This is a law enforcement bill. And the gentleman from Arizona (Mr. SHAD-EGG) very well and thoughtfully and with great feeling described the experience of his constituent, the family of constituents of a woman who was actually lost. This legislation, as he pointed out, and as Mr. CUMMINGS pointed out, provides a pathway to correcting those problems out into the future. But we have to get a bill passed. That is why we separated this bill from other legislation.

There is already a hold on this bill in the other body. A Member of the other body is holding this bill up and insisting that a fee be imposed on cruise line passengers to pay for any Federal Government involvement. This is law enforcement. We don't ask our fellow citizens to pay a fee for their homes to be protected against burglary. We don't ask victims of rape to pay a fee to be protected against future rape. That is just—well, it's beyond description. I shouldn't say anything further.

But we have to get a bill passed. And the Member of the other body who is insisting on those conditions needs to have a visit with reality. And the reality are those victims of violence aboard cruise ships. And this legislation will bridge the gaps between the rights of victims and the actual experiences they encounter, provide protection, provide access to assistance to victims of crime and give them the protection of U.S. law, extend that to those 10.5 million of our fellow citizens who take a cruise vacation so it will be a pleasant experience and not a nightmare.

Mr. Speaker and colleagues, I just want to observe and thank the ranking member of the subcommittee, Mr. LOBIONDO, that this particular bill, is the 200th bill of our committee in the 110th and now the 111th Congress, the 200th bill that we have moved through committee, and I expect soon through the House and one veto override, in the 2½ years under my chairmanship.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CUMMINGS. I yield the gentleman 1½ additional minutes.

Mr. OBERSTAR. I want to thank my colleagues on the Democratic side and particularly my colleagues on the Republican side for the splendid participation we have had and the partnership we have enjoyed in moving together a legislative agenda for America, for the good of this country, a partnership that we extended during the years of the Republican majority from 1995 onward. It is a record of accomplishment that I think sets the standard for this body. And I appreciate the partnership that we have had, in particular Mr. MICA, who is the leader on the Republican side, and all of our colleagues on

the committee, the 200th bill or resolution. It is a good day, a good day for America, a good day for our committee.

Mr. LOBIONDO. Mr. Speaker, I am pleased to yield 5 minutes to my colleague from Indiana (Mr. SOUDER).

Mr. SOUDER. I thank the distinguished subcommittee Chair.

I rise today in support of this bill and not just because of the tragic cases that we have been discussing, but specifically, in support of a more obscure section in the bill that requires passenger vessels to be equipped with acoustic hailing devices. The Long Range Acoustical Devices, LRADS, are the next generation of nonlethal countermeasure devices. These acute, long-range acoustic hailing devices are important for both civilian and military vessels.

Following the suicide attack on the USS *Cole* while it was at port in Yemen in 2000, the United States Navy established a requirement for an acoustic hailing device. The intent of this AHD was to provide the Navy with a means to establish the intent of an approaching vessel at a distance such that defensive measures could be taken should the vessel not heed a warning.

These hailing devices are not only used as an identifier of intent but also can be used to repel possible attackers or to disperse unlawful mobs. An LRAD was used for this purpose for the first time in the United States in Pittsburgh during the time of the G-20 summit on September 24-25 of 2009.

Last week I had the opportunity to witness an LRAD in action. Ultra Electronics, a high-tech manufacturer near Columbia City, Indiana, demonstrated their acoustic device, the Hyperspike, both as a hailer and as a deterrent. The thumping pulsating sounds were impressive, and I now understand why the crowds were dispersed so quickly in Pittsburgh. I was also impressed with the range of the Hyperspike. It is capable of emitting crystal clear audible messages at distances of over 3 miles across the water.

This act is intended to improve the overall safety of cruise ship passengers. It not only improves capabilities to thwart external threats such as pirate attacks, but also to increase internal passenger safety through increased security measures.

It has been well publicized that pirate attacks on cargo vessels are continuing. As these vessels improve their security against such attacks, it is very likely that the pirates will look for other vulnerable targets, such as cruise ships. This legislation will provide these vessels with the capability to establish vessel intent earlier and escalate security measures to protect the ship, crew and passengers.

Mr. CUMMINGS. May I inquire as to how much time we have remaining?

The SPEAKER pro tempore. The gentleman from Maryland has 4½ minutes.

Mr. CUMMINGS. We have no additional speakers. I yield to the gentleman.

Mr. LOBIONDO. Mr. Speaker, I am pleased to support the legislation, congratulate the sponsor, thank Mr. OBERSTAR and Mr. CUMMINGS, and yield back the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

I want to make it very clear, Mr. Speaker, that this was an effort of the victim groups and the cruise ship industry. As Chairman OBERSTAR said, there was a lot of work that went into this legislation with folks actually sitting down and coming up with reasonable and balanced solutions to these problems.

I want to thank all of the folks that did that. And I also take a moment to thank Mr. LOBIONDO and certainly Mr. MICA and definitely our chairman, Mr. OBERSTAR. This is one of those bipartisan efforts that has yielded a win-win-win, a win certainly for this Congress, a win for those people who find themselves taking a vacation on cruise ships, and certainly a win for law enforcement as they try to make sure that they address any kind of issues that may come up, and the industry. It's a win-win-win-win.

So I think that what we have done is approach this in a very balanced way, a very measured way, but a way which addresses all of the issues that we attempted to address. And certainly we thank Ms. Dishman and the other victims who have had difficult circumstances happen to them for bringing their testimony. As Chairman OBERSTAR said, this kind of testimony is very difficult for someone to present themselves, not only to the Congress but on C-SPAN and for the world to hear what they went through. But yet and still, the fact is that they sacrificed so that we can have this kind of legislation.

With that, I would urge our colleagues to vote for this legislation.

Mr. MITCHELL. Mr. Speaker, as a member of the House Committee on Transportation and Infrastructure, I rise today on behalf of H.R. 3360, the Cruise Vessel Security and Safety Act of 2009.

This is important legislation that will significantly improve the safety and security of cruise passengers.

A Senate version of this bill has earned committee approval earlier this year, and in October, the House overwhelmingly approved this measure by a bipartisan vote of 385-11, as part of the Coast Guard Reauthorization Act of 2010.

The bill will bring many of the same, commonsense security measures to cruise ships that a lot of us take for granted in major hotels—things like latches and peep holes for guest rooms and video surveillance to document criminal activity.

In addition, the bill will ensure that cruise ships are equipped to provide emergency assistance to victims of sexual assaults.

Finally, and perhaps most significantly, the bill will require that serious criminal incidents on board are reported to the proper authorities.

I want to thank Representative DORIS MATSUI for her leadership on this legislation.

I also want to thank Kendall Carver, an Arizonan whose tireless efforts on this issue have been truly incredible.

As many of you know, in 2004, Ken's daughter, Merrian, mysteriously and tragically disappeared aboard a cruise to Alaska. And, as the Arizona Republic recently reported, "Instead of reporting her absence, the ship's staffers packed up her belongings and cleaned up her cabin. They did nothing for five weeks and only filed a missing-persons report with the FBI after being questioned by a private detective."

This is not just wrong—it's beyond wrong. Cruise passengers deserve better. Their families deserve better.

That's why I want to encourage my colleagues to support this legislation.

Mr. CUMMINGS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. CUMMINGS) that the House suspend the rules and pass the bill, H.R. 3360, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CUMMINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

HONORING COAST GUARD AND MARINE CORPS AIRCRAFT PILOTS LOST IN CALIFORNIA

Mr. CUMMINGS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 891) expressing the gratitude of the House of Representatives for the service to our Nation of the Coast Guard and Marine Corps aircraft pilots and crewmembers lost off the coast of California on October 29, 2009, and for other purposes, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 891

Whereas on the evening of October 29, 2009, a Coast Guard C-130 aircraft with two pilots and five crewmembers on board was involved in a search and rescue mission off the coast of California;

Whereas at the same time, a Marine Corps AH-1W Super Cobra carrying two pilots was involved in a military escort mission nearby;

Whereas the two aircraft are suspected to have collided while traveling east of San Clemente Island, California;

Whereas the following crew members of the Coast Guard C-130 are missing and presumed to have lost their lives in the line of duty: Lt. Cmdr. Che J. Barnes of Capay, California; Lt. Adam W. Bryant, of Crewe, Virginia; Chief Petty Officer John F. Seidman of Stockton, California; Petty Officer 2nd Class Carl P. Grigoris of Mayfield Heights, Ohio; Petty Officer 2nd Class Monica L. Beacham of Decaturville, Tennessee; Petty Officer 2nd Class Jason S. Moletzsky of Norristown,

Pennsylvania; and Petty Officer 3rd Class Danny R. Kreder II, of Elm Mott, Texas;

Whereas the following crew members of the Marine Corps helicopter are missing and presumed to have lost their lives in the line of duty: Maj. Samuel Leigh of Kennebec, Maine, and 1st Lt. Thomas Claiborne of Douglas County, Colorado;

Whereas the men and women of the Coast Guard are "Always Ready" to safeguard the United States against all hazards and threats at our ports, at sea, and around the world; and

Whereas the men and women of the Marine Corps are "Always Faithful" to their mission of defending the United States on the ground, in the air, and by sea, in every corner of the globe: Now, therefore, be it

Resolved, That the House of Representatives expresses its gratitude for the service to our Nation of the Coast Guard and Marine Corps aircraft pilots and crewmembers lost off the coast of California on October 29, 2009, and extends its condolences to their family, friends, and loved ones.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. CUMMINGS) and the gentleman from New Jersey (Mr. LOBIONDO) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H. Res. 891.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I rise in strong support of H. Res. 891, as amended, a resolution expressing the gratitude of the House of Representatives for the service of the air crewmembers of Coast Guard aircraft 1705 and a Marine Corps AH-1 Super Cobra helicopter who were lost when these aircraft collided near San Clemente Island, California, on October 29 of this year.

On board the Coast Guard C-130 were seven Coast Guard members who were conducting a search-and-rescue mission at the time of the terrible accident. These crewmembers were Lieutenant Commander Che J. Barnes, a 17-year Coast Guard veteran who commanded Coast Guard 1705 and is survived by his father and three brothers, including a twin brother; Lieutenant Adam W. Bryant, the copilot of CG-1705 and a 2003 graduate of the Coast Guard Academy who is survived by his parents and brother; Chief Petty Officer John F. Seidman, the flight engineer who had served more than 20 years in the Coast Guard and is survived by his wife, parents and brother; Petty Officer 2nd Class Carl P. Grigonis, the CG-1705 navigator who was the father of a young son and whose wife is expecting a daughter; Petty Officer 2nd Class Monica L. Beacham, the flight's radio operator, who leaves a husband and a

young daughter to mourn; Petty Officer 2nd Class Jason S. Moletzsky, an air crewmember survived by his fiancée, parents and two sisters; and Petty Officer 3rd Class Danny R. Kreder, II, drop master, survived by his wife, parents and two brothers.

□ 1345

On board the Marine Corps AH-1 Super Cobra were two pilots: Major Samuel Leigh, who had served two tours in Iraq and whose service in the Marine Corps maintained his family's long tradition of military service; and First Lieutenant Thomas Claiborne, a magna cum laude graduate of the University of Colorado.

These individuals dedicated their lives to serving the United States of America. They protected our Nation from the many threats we face, and they selflessly placed their lives in harm's way to aid those in distress. Their terrible loss is a reminder of the risks that the members of our Armed Forces face while conducting their many missions.

Our thoughts and our prayers are with the families of each of these servicemembers and with all the colleagues they have left behind in the United States Coast Guard and the Marine Corps. Our thoughts and prayers are also with all of the members of our Armed Forces who are serving our Nation now on the front lines in Iraq and Afghanistan and with the families of the thousands who have given their lives in defense of our great Nation's freedom on those two battlefields in each of our Nation's conflicts.

I commend Congresswoman SÁNCHEZ, the Chair of the Committee on Homeland Security's Subcommittee on Border, Maritime, and Global Counterterrorism, for her work on H. Res. 891. I urge its adoption by the House today, and I express my gratitude for the service of the members of the Coast Guard and Marine Corps recognized by this resolution.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 13, 2009.

Hon. JAMES L. OBERSTAR,
Chairman, House Committee on Transportation
and Infrastructure, Rayburn House Office
Building, Washington, DC.

DEAR MR. CHAIRMAN: On November 5, 2009, the House Resolution 891, "Expressing the gratitude of the House of Representatives for the service to our Nation of the Coast Guard and Marine Corps aircraft pilots and crewmembers lost off the coast of California on October 29, 2009, and for other purposes," was introduced in the House. As you know, this measure was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker.

Our Committee recognizes the importance of H. Res. 891 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over this legislation, the Committee on Armed Services will waive further consideration of H. Res. 891. I do so with the understanding that by waiving further consideration of the resolution, the Committee does not waive any fu-

ture jurisdictional claims over similar measures.

I would appreciate the inclusion of this letter and a copy of your response in the Congressional Record during consideration of the measure on the House floor.

Very truly yours,

IKE SKELTON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, November 13, 2009.

Hon. IKE SKELTON,
Chairman, Committee on Armed Services, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SKELTON: I write to you regarding H. Res. 891, expressing the gratitude of the House of Representatives for the service to our Nation of the Coast Guard and Marine Corps aircraft pilots and crewmembers lost off the coast of California on October 29, 2009, and for other purposes.

I agree that provisions in H. Res. 891 are of jurisdictional interest to the Committee on Armed Services. I acknowledge that by foregoing further consideration, your Committee is not relinquishing its jurisdiction.

This exchange of letters will be inserted in the Congressional Record as part of the consideration of this legislation in the House.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

JAMES L. OBERSTAR, M.C.,
Chairman.

Mr. Speaker, I reserve the balance of my time.

Mr. LOBIONDO. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of this resolution, H. Res. 891, and thank the sponsor for the introduction. Our Nation suffered a tragic loss last month when seven coastguardsmen and two marines were killed when their military aircraft collided off the coast of California. These men and women died while performing critically important missions for our Nation.

Mr. Speaker, this is a very tragic reminder to the entire Nation of the sacrifices that our men and women are making for all the rest of us. They put their lives on the line each and every day. Some people think that only happens in the theater of war, but in reality it happens every day with every man and woman who is serving our Nation.

We join their families and their friends and their loved ones in mourning their passing and we pay tribute to the ultimate sacrifice they have made in service to our country, another reminder that as they put on the uniform, this is an all-volunteer Army, Navy, Air Force, and Coast Guard and Marines that serve our Nation so adequately and so well, putting the Nation first, putting the Nation before themselves. I can't imagine the loss the families must be feeling with what should have been just a routine mission.

The investigation into the cause of the accident has just begun, but I hope we will have the results soon and that we can take appropriate actions to ensure that our armed services have the

tools they need to prevent a similar tragedy from ever occurring again.

I will now reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield 3 minutes to the distinguished sponsor of this legislation, the gentlewoman from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. I thank both chairmen. Thank you so much for allowing me to put forward this resolution and to pass it today on the House floor.

Mr. Chairman, as a member of both the Homeland Security Committee and the Armed Forces Committee here in the House of Representatives, I introduced this resolution on the 1-week anniversary of the tragic events that occurred off our coast of California. Let me remind you where this occurred was maybe, at the most, an hour's drive from where I live.

On Thursday, October 29, the Federal Aviation Administration reported that a Coast Guard C-130 plane and a Marine Corps AH-1W Cobra helicopter crashed off the coast while they were both conducting separate missions. We honor the nine men and women who lost their lives in that crash and we send our condolences to their families and their friends and their loved ones.

As the motto states, "Always Ready," the Coast Guard defends the shores of this great country daily, and we sometimes forget our unsung heroes. Tasked with multiple missions every day, the Coast Guard relies on its skills and the expertise of the personnel to stop drug runners, to perform search and rescue operations, and to secure our ports and our waterways.

It saddens me that we lost seven of these brave men and women last week while on duty as they were conducting a search and rescue effort. In addition, the two Marine Corps pilots that lost their lives fully lived their Corps motto of "Always Faithful." Their sacrifice while on a military training exercise off the coast of California echoes the sacrifice and the risk that all our men and women in uniform face in the armed services.

Both the Coast Guard and the Marine Corps serve globally and, let us not forget, locally to protect our communities and to provide humanitarian aid when it's necessary. We must not forget those sacrifices, their missions, and that at any time anything can go wrong. And we must always remember those that we have lost during their time of service.

I know the Coast Guard had a memorial service Friday in Sacramento which, unfortunately, I was unable to go to, but I felt that it was important to introduce this resolution at this time to honor those that died. These brave individuals fulfilled their commitment to serve and to defend the United States at any cost. Of course, they sacrificed and gave the biggest cost, so our eternal gratitude and respect go to them.

I urge my colleagues to join me in honoring these brave individuals by supporting this resolution.

Mr. LOBIONDO. Mr. Speaker, I am pleased to yield such time as he may consume to my colleague, the gentleman from California (Mr. HERGER).

Mr. HERGER. I thank the gentleman from New Jersey.

Mr. Speaker, I rise today to express my support for House Resolution 891, which honors the two marines and seven members of the Coast Guard who lost their lives during a rescue mission off the coast of California on October 29. We're grateful for their service and sacrifice and express our heartfelt condolences to all of their loved ones.

One of the fallen members of the Coast Guard was Che Barnes. Che grew up on a family farm in Capay Valley, northern California, located in my district that I represent. From an early age, Che was fascinated with planes. He worked hard to earn money to pay for flight lessons. He flew his first solo flight at the young age of 16. He joined the Coast Guard so that he could use his love of flying to rescue those stranded at sea.

It is tragic but fitting that he lost his life doing something he loved—flying in the Coast Guard and serving his Nation and fellow man. By all accounts, he was an excellent pilot and an even better person.

May God bless and comfort his family and friends.

Mr. CUMMINGS. I yield 5 minutes to the chairman of the committee, the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. I thank the gentleman from Maryland again, the Chair of the Coast Guard Subcommittee, for his diligent work on this very tragic resolution. It is very important to pay recognition to those who lost their lives. I was very deeply touched by the remarks of the gentlewoman from California, the gentleman from New Jersey (Mr. LOBIONDO) and Chairman CUMMINGS.

These are courageous servicemen and -women, those in the U.S. Coast Guard, those in the U.S. Marine Corps, our oldest service unit, which predates the establishment of our own Nation. The Coast Guard itself was the third act of the first session of the first Congress by this committee, the Committee on Rivers and Harbors, that established the Revenue Cutter Service to collect duties on inbound cargoes and repay the debts of the Revolutionary War.

The Revenue Cutter Service later became the U.S. Coast Guard. That Coast Guard every year responds to over 60,000 calls for help, every year saves over 5,000 lives. It is tragic that in the course of their search and rescue service that Coast Guard men and women should have lost their lives.

Now there is an investigation underway by the Navy and the Coast Guard jointly inquiring into the causes of this tragedy, hopefully for the purpose of unraveling that collision, but also to

learn lessons to avoid such incidents in the future. This incident occurred in military-controlled airspace, airspace controlled by the U.S. Navy from an onshore facility at San Diego.

The Coast Guard's C-130 had a data recorder on board. Search is underway to hopefully locate that data recorder and gain useful information about the circumstances under which the collision occurred. It was at twilight, it was at dusk. Very hard to distinguish and effectively operate under the rules of see and avoid. But there must be more at stake here. That C-130 was loaded with electronic equipment for detection of vessels or persons in the water, and one has to assume it had equipment to detect proximity of another aircraft.

We have to unravel those facts and understand what occurred in order to avoid such circumstances in the future and engage the necessary training for personnel or install on board both helicopters and C-130-type aircraft traffic collision avoidance systems, which the Navy initiated 40 years ago and which is now aboard all commercial airliners.

Unfortunately, the National Transportation Safety Board, at least at the outset, will not be engaged in the investigation. I'm of the view that the NTSB should be a partner in any such investigations of military aircraft in U.S. territorial airspace. That is a matter for another time, but as we pay tribute to and acknowledge those who gave their lives in service of this country in pursuance of their mission, I think it's important to recall that there is more we can and must do to improve safety in the domestic airspace, including safety under the control of our military units.

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There will be further attention paid to this issue. We will pursue the safety issues engaged in this tragedy. But for the moment, we must mourn the loss of those crew members whom Mr. CUMMINGS already noted in his remarks.

Mr. LOBIONDO. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. I thank my friend from New Jersey for yielding, and I commend the gentlelady from California for having introduced this very significant resolution.

Mr. Speaker, I would like to take a moment or two to express our condolences to the families, friends and members of our Armed Forces associated with the crew of the Coast Guard C-130 and the Marine Corps AH-1W Super Cobra who collided on October 29, 2009, off the California coast.

Mr. Speaker, it's difficult to lose servicemembers under any circumstances, and this accident is no exception. The seven members of the Coast Guard C-130 crew were in the midst of a search-and-rescue mission while the Marine Corps Super Cobra

was involved in a military escort mission. These servicemembers were answering the call of duty to protect and serve others and paid the ultimate sacrifice. As a former Coast Guardsman and a Member of Congress, I believe it is appropriate to recognize their service and honor their lives. This resolution is a significant gesture of expression to show our gratitude for their service and sacrifice.

Mr. CUMMINGS. Madam Speaker, we have no other speakers, so I will continue to reserve the balance of my time.

Mr. LoBIONDO. Once again, Madam Speaker, we join with the Nation in our thoughts and prayers for the families and for those who have lost their lives in honoring all those who serve. I urge all of my colleagues to support the resolution.

I yield back the balance of my time.

Mr. CUMMINGS. Madam Speaker, I yield myself as much time as I may consume.

Once again, I urge all of our Members to vote in favor of this very, very important resolution. And I will say to the families of these service persons that they are in our prayers. We thank all of our personnel for what they do every day, so often putting their lives on the line so that we might enjoy the freedoms that we do enjoy.

Mr. RICHARDSON. Madam Speaker, I rise today in strong support of H. Res. 891 which recognizes and honors the Coast Guard and Marine Corps aircraft pilots and crewmembers who lost their lives off the coast of Southern California on October 29, 2009.

Let me take a moment to commend Congresswoman LORETTA SANCHEZ, who hails from my home state of California, for her leadership in bringing this resolution to the floor and giving us the opportunity both to mourn our loss of these individuals and to thank the Coast Guard and the Marine Corps for their brave service to this country.

I was truly devastated when I heard the news on October 29, 2009, of a collision between a Coast Guard transport plane and a Marine Corps helicopter off the coast of Southern California, not far from my district. At the same time, I was deeply grateful for those members of the Coast Guard and the Navy who immediately went out and conducted an intense search and rescue mission to locate any possible survivors of the crash.

We are indebted to the men and women who dedicate their lives to the Coast Guard and the Marine Corps. Even in the face of a tragedy such as this one, one that affects members of their own community, these brave men and women are ready and willing to serve their country in whatever way necessary. I support this resolution and urge my colleagues to do the same.

Mr. ISSA. Madam Speaker, today the House of Representatives recognizes the service and sacrifice of the members of the United States Coast Guard and the United States Marine Corps who were tragically killed during exercises off the coast of California three weeks ago.

On October 29, 2009, a Coast Guard C-130 plane and a Marine AH-1 Cobra helicopter collided off the coast of Southern California.

The Marine pilots were conducting training about 15 miles off San Clemente Island when they collided with the U.S. Coast Guard plane, which was based out of the Coast Guard Air Station in Sacramento, CA.

These brave Marines and Coast Guardsmen dedicated their lives to protecting our freedom and safety. Such tragedies are a reminder of the dangers all men and women of our armed forces face, whether they are stationed in Afghanistan, California, or anywhere else in the world.

H. Res. 891 offers Members of the House of Representatives an appropriate opportunity to express our thoughts and prayers to families and friends of these service members. Our hearts are with them during this difficult period.

Mr. CUMMINGS. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Ms. CHU). The question is on the motion offered by the gentleman from Maryland (Mr. CUMMINGS) that the House suspend the rules and agree to the resolution, H. Res. 891, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CUMMINGS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

H. DALE COOK FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mr. CUMMINGS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3305) to designate the Federal building and United States courthouse located at 224 South Boulder Avenue in Tulsa, Oklahoma, as the "H. Dale Cook Federal Building and United States Courthouse".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3305

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The Federal building and United States courthouse located at 224 South Boulder Avenue in Tulsa, Oklahoma, shall be known and designated as the "H. Dale Cook Federal Building and United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in section 1 shall be deemed to be a reference to the "H. Dale Cook Federal Building and United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. CUMMINGS) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. CUMMINGS. Madam Speaker, I ask unanimous consent that all Mem-

bers may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3305.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. CUMMINGS. Madam Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 3305, a bipartisan bill supported by the entire Oklahoma delegation that would designate the United States courthouse at 224 South Boulder Avenue in Tulsa, Oklahoma, as the H. Dale Cook Federal Building United States Courthouse.

H. Dale Cook was a veteran of World War II who served as a flight instructor. After the war, he studied law at the University of Oklahoma and then embarked on a long legal career in electoral politics. After being twice elected the chief prosecuting attorney in his county, he went on to serve as assistant U.S. attorney. He subsequently alternated between government service and private practice for several years before being nominated to the Federal judiciary by President Gerald Ford in 1974. Judge Cook served as a district court judge for some 34 years until his death on September 23, 2008.

Judge Cook was an honorable and well-respected civil servant and had a long and distinguished record of public service. The designation of the United States courthouse at 224 South Boulder Avenue in Tulsa, Oklahoma, in his honor is a fitting memorial to his service, and I urge the House to adopt H.R. 3305.

With that, Madam Speaker, I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, at this time I would like to recognize the impassioned advocate and the sponsor of this legislation for 5 minutes, the gentleman from Oklahoma (Mr. SULLIVAN), who has been pushing for this resolution.

Mr. SULLIVAN. Madam Speaker, it is with great pleasure that I rise today to honor Judge H. Dale Cook. Judge Cook was a World War II veteran who spent nearly 50 years in public service and more than 33 years as a United States district judge in Oklahoma. Judge Cook began his career in public service in 1951 when he was elected county attorney for Logan County and Guthrie. He would hold several other positions in public service in Oklahoma, including first assistant U.S. attorney, chief trial attorney and legal counsel and adviser to Governor Henry Bellmon.

In the early 1970s, Judge Cook worked in Washington, D.C., for the Social Security Administration until beginning his career as a Federal judge in 1974 when he was sworn in as U.S. district judge in the Northern, Eastern and Western Districts of Oklahoma.

Five years later in 1979, Judge Cook became chief judge of the Northern District of Oklahoma and served in that capacity for 13 years.

In 1992, Judge Cook took senior status to enable the appointment of an additional judge to the Northern District. As a senior judge, he continued to be active and carried a full court docket for the next 12 years until a few months before his death on September 22, 2008.

Judge Cook was adamantly committed to his belief that politics should play no role in the dispensing of justice and demonstrated that belief in his judicial rulings and the administration of his responsibilities as chief judge. He was a man of fairness and integrity who opened each court session with "God bless the United States and save this honorable court."

Judge Cook's greatest legacy may be the restoration and the reopening of the original Federal courthouse in Tulsa, Oklahoma. When the Federal courts were moved to another building about 45 years ago, the old Federal building sat largely unused. Judge Cook saw this building as a solution when there became a need for additional court space. He spearheaded the effort to restore it to its original splendor. Judge Cook used his powers of persuasion and his influence as chief judge of the Northern District to insist on conforming the courthouse to its original design and decorum. Without his involvement, the building would have never been used for its current purpose, and the beauty of a lost era would not be visible as it is today in Tulsa, Oklahoma.

By his direct efforts, the building is now included in the National Register of Historic Places and is currently used for the courtrooms, judicial chambers, the bankruptcy court and affiliated Federal offices of the Northern District of Oklahoma. Due to the vision and hard work of Judge Cook, the building is now being used for its original purpose, as a Federal judicial courthouse.

Preserving the beauty of a lost era as a Federal judge, he conducted his duties in a nonpartisan manner. It is my hope that the naming of this Federal building will be an equally bipartisan effort to honor this exceptional man for his exemplary career in public service and bringing the Federal courthouse back to its original grandeur.

I urge the adoption of H.R. 3305.

Mr. OBERSTAR. Madam Speaker, I rise in support of H.R. 3305, a bill introduced by the gentleman from Oklahoma (Mr. SULLIVAN), which designates the United States courthouse at 224 South Boulder Avenue in Tulsa, Oklahoma, as the "H. Dale Cook Federal Building and United States Courthouse."

Judge Cook was a well respected jurist who served as a Federal judge for well over 30 years. Judge Cook served as a lieutenant in the U.S. Army Air Corps during World War II and later as member of the U.S. Air Force Reserve. During his long legal career, Judge Cook served as an attorney in private practice, chief prosecuting attorney in his county, as an

assistant U.S. attorney, counsel to the Governor of Oklahoma, and finally as a member of the Federal judiciary.

Judge Cook was nominated to the Federal judiciary by President Gerald Ford in 1974. He initially served as a visiting Federal judge with a seat on the bench of each of Oklahoma's Federal judicial districts. Judge Cook later became Chief Judge of the Northern District in 1979 and served in that position until 1992. In addition, Judge Cook sat several times by designation with the U.S. Court of Appeals for the Tenth Circuit.

Judge Cook succumbed to cancer just over a year ago, on September 23, 2008. He continued to hear cases on the Federal bench until only a few months before he passed away. Judge Cook was held in high esteem by his peers and served with distinction as a Federal judge. It is both proper and fitting to honor his civic contributions with this designation.

I urge my colleagues to join me in supporting H.R. 3305.

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, at this time, I yield back the balance of my time.

Mr. CUMMINGS. Madam Speaker, I urge the Members to vote in favor of this resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. CUMMINGS) that the House suspend the rules and pass the bill, H.R. 3305.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RESERVE OFFICERS ASSOCIATION MODERNIZATION ACT OF 2009

Ms. CHU. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1599) to amend title 36, United States Code, to include in the Federal charter of the Reserve Officers Association leadership positions newly added in its constitution and bylaws.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1599

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Reserve Officers Association Modernization Act of 2009".

SEC. 2. INCLUSION OF NEW LEADERSHIP POSITIONS IN THE FEDERAL CHARTER OF THE RESERVE OFFICERS ASSOCIATION.

(a) NATIONAL EXECUTIVE COMMITTEE.—Section 190104(b)(2) of title 36, United States Code, is amended—

(1) by inserting "the president elect," after "the president,";

(2) by inserting "a minimum of" before "3 national executive committee members,"; and

(3) by striking "except the executive director," and inserting "except the president elect and the executive director,".

(b) OFFICERS.—Section 190104(c) of such title is amended—

(1) in paragraph (1)—

(A) by inserting "a president elect," after "a president,";

(B) by inserting "a minimum of" before "3 national executive committee members,";

(C) by striking "a surgeon, a chaplain, a historian, a public relations officer,"; and

(D) by striking "as decided at the national convention" and inserting "specified in the constitution of the corporation"; and

(2) in paragraph (2)—

(A) by inserting "and take office" after "be elected"; and

(B) by striking "and the national public relations officer," and inserting "the judge advocate, and any other national officers specified in the constitution of the corporation,".

(c) VACANCIES.—Section 190104(d)(1) of such title is amended by striking "president and last past president," and inserting "president, president elect, and last past president,".

(d) RECORDS AND INSPECTION.—Section 190109(a)(2) of such title is amended by striking "national council," and inserting "other national entities of the corporation,".

The SPEAKER pro tempore (Mr. CUMMINGS). Pursuant to the rule, the gentlewoman from California (Ms. CHU) and the gentleman from North Carolina (Mr. COBLE) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. CHU. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. CHU. I yield myself such time as I may consume.

Mr. Speaker, S. 1599 amends the nearly 60-year-old Federal charter of the Reserve Officers Association to reflect simple changes that have already been made to the organization's structure. The Reserve Officers Association was founded in 1922 and received a Federal charter by Congress in 1950.

As Congress observed at the time, the purpose of the corporation is to support and promote the development and execution of a military policy for the United States that will provide adequate national security. The ROA represents the Reserve Components officers for the Army, Air Force, Navy, Marine Corps, Coast Guard, the Air and Army National Guard, Public Health Service and the officers of the National Oceanic and Atmospheric Administration.

This bill makes a number of technical changes to the ROA's Federal charter. For instance, the charter will now include the newly created position of president-elect and there would be more positions on the ROA's National Executive Committee. S. 1599 was introduced by Senators LEAHY, CHAMBLISS and PRYOR and passed the Senate in September. Identical legislation was introduced in the House by Representative HOWARD COBLE, my colleague on the Judiciary Committee, and Representatives CARNEY and GARY G. MILLER.

I commend the House sponsors as well as Chairman CONYERS and Ranking Member SMITH for their leadership

in moving this bill swiftly to the floor. It is important to point out that this bill does not run afoul of the Immigration Subcommittee's policy to not create any new Federal charters. Rather than create a new Federal charter, it merely amends a nearly 60-year-old existing charter.

This policy against new charters was first adopted by the subcommittee of jurisdiction 20 years ago in the 101st Congress and has strong bipartisan support. It is based on the considered judgment that a congressional charter is unnecessary to the operation of any charitable organization and may falsely imply to the public that an organization and its activities carry a congressional seal of approval.

Moreover, this policy reflects the subcommittee's judgment that the investigation and monitoring of a chartered organization takes congressional time and resources that are better spent on important policy and oversight efforts. That we are taking up this body's valuable time today to ratify simple changes to the ROA's leadership structure is evidence in itself that Congress should not be increasing the number of chartered organizations.

□ 1415

That having been said, because S. 1599 makes only technical amendments to an existing charter and does nothing to create a new charter, I support this legislation.

I reserve the balance of my time.

Mr. COBLE. Mr. Speaker, I yield myself such time as I may consume.

The gentlelady from California (Ms. CHU) pretty well touched very thoroughly on this subject matter, and I'll add somewhat to that. I rise in strong support of S. 1599. The Reserve Officers Association is well known and respected in Washington, D.C. It was founded in 1922 by General "Black Jack" Pershing with a mission to "support and promote the development and execution of a military policy for the United States that will provide adequate national defense."

The Reserve Officers Association has as its goal to ensure adequate resources for the National Guard and the various reserve components and ensure that these entities play a key role in the national defense. The Association also is dedicated to the support of the interests of our citizen soldiers, their families and their survivors. Membership is open to all federally commissioned military officers and warrant officers and their spouses. There are currently about 65,000 members.

The Reserve Officers Association received a Federal charter in 1950. The Association would like to modify its charter to reflect technical changes made to its Constitution and bylaws, such as the addition of the position of "president elect" and the allowance for more than three executive committee members. That is what this legislation accomplishes. The Senate passed the bill in September by unanimous con-

sent, and I've introduced a companion House version in this body.

I urge my colleagues to support this meritorious legislation, which will allow the Reserve Officers Association to continue to play a vital role here in Washington.

Mr. Speaker, I reserve the balance of my time.

Ms. CHU. Mr. Speaker, I reserve the balance of my time.

Mr. COBLE. I have one speaker remaining, Mr. Speaker. I yield to the distinguished gentleman from California (Mr. GARY G. MILLER) such time as he may consume.

Mr. GARY G. MILLER of California. Mr. Speaker, I want to thank Chairman CONYERS and Ranking Member SMITH for allowing S. 1599 to come to the floor today. I want to also thank my colleague, HOWARD COBLE, who just previously spoke before me, a retired U.S. Coast Guard captain, and CHRIS CARNEY, an active reservist Navy commander, for introducing the House companion bill. I also wish to thank the committee staff for working so diligently behind the scenes to bring the bill to the floor today.

Founded in 1922, then chartered by Congress in 1950, the Reserve Officers Association's mission is to "support and promote development and execution of a military policy for the United States that will provide adequate national security." ROA is a first-class, member-oriented association which provides the men and women who serve our Nation in the cause of freedom a voice in creating government policy.

ROA has a long list of policy accomplishments and an ambitious long-range program for the coming decade and beyond. Today ROA is still proudly serving our Nation's soldiers, sailors, airmen, and Marines in so many ways. This legislation, once enacted into law, will allow ROA to make the necessary technical changes within its organization to stay effective as an association.

In 2010, ROA will be celebrating its 60th year as a congressionally chartered organization. I wish them continued success and thank them for their service to our country.

Mr. COBLE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Ms. CHU. I urge my colleagues to support S. 1599, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. CHU) that the House suspend the rules and pass the bill, S. 1599.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. COBLE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

HONORING 40TH ANNIVERSARY OF SEARCH

Ms. CHU. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 851) recognizing and honoring the 40th anniversary of SEARCH, The National Consortium for Justice Information and Statistics, headquartered in Sacramento, California.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 851

Whereas the Department of Justice's Law Enforcement Assistance Administration created SEARCH in 1969 as a 10-State project to demonstrate whether it was feasible to exchange criminal history records on an automated and nationwide basis;

Whereas SEARCH not only demonstrated the feasibility of an automated nationwide system of sharing criminal records, but also, through partnership with the Department of Justice, the Federal Bureau of Investigation, State agencies and other organizations, helped to establish the national criminal history record information system;

Whereas SEARCH is a nonprofit organization created by and for the States, governed by a Membership Group comprised of one gubernatorial appointee from each of the States and territories;

Whereas SEARCH's guiding vision is to ensure "Accurate and timely information, supported by well-deployed information and identification technology, enables the justice and public safety decision-maker to administer justice in a manner that promotes individual rights and public safety";

Whereas SEARCH provides training and technical assistance to help the criminal justice community combat high-technology crimes, gather valuable information in investigations, and link the Nation's law enforcement agencies through policy and technical solutions;

Whereas SEARCH helps agencies effectively implement information sharing technology to make accurate, more informed, immediate, and appropriately secured decisions about criminal justice and security issues, and to administer justice in an efficient and effective manner;

Whereas SEARCH has pioneered the development of both technology and policy solutions for justice implementation of biometric technologies, thereby enabling electronic fingerprints to become a rapid, reliable, and cost-effective identification authentication process and further supporting information sharing and collaboration among and between agencies;

Whereas SEARCH has made a profound contribution, working with the Department of Justice, to develop successive generations of privacy and security policies that are now reflected in both Department of Justice regulations and Federal legislation;

Whereas SEARCH has played a critical role in the development of systems such as the Interstate Identification Index (III), the National Instant Criminal Background Check System (NICS), commonly called the Brady check system, the National Fingerprint File (NFF), the Integrated Automated Fingerprint Identification System (IAFIS), and key standards for information sharing and interoperability, such as the National Information Exchange Model (NIEM);

Whereas SEARCH's work with the Departments of Justice and Homeland Security helps the Nation's justice and public safety communities plan, develop, implement, test,

and manage interoperable communications solutions; and

Whereas SEARCH has had many accomplishments over its 40-year history to help practitioners in criminal justice, public safety, and first response use information to plan for, predict, prevent, and interdict criminal events, terrorism, and disasters: Now, therefore, be it

Resolved, That the House of Representatives recognizes and honors SEARCH, The National Consortium for Justice Information and Statistics, on the occasion of its 40th anniversary for accomplishments to promote information sharing and identification solutions for first responders and law enforcement officers, and for the protection of privacy and citizens' rights.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. CHU) and the gentleman from North Carolina (Mr. COBLE) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. CHU. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. CHU. I yield myself such time as I may consume.

Mr. Speaker, House Resolution 851 recognizes SEARCH, the National Consortium For Justice Information and Statistics' 40th anniversary. SEARCH is a nonprofit membership organization dedicated to improving the criminal justice system through better information management and effective application of information and identification technology. SEARCH members are primarily State criminal justice officials responsible for the management of criminal justice information, particularly criminal history information.

SEARCH was founded in 1969 when the Federal Law Enforcement Assistance Administration created Project SEARCH to explore the feasibility, practicality, and cost effectiveness of developing a computerized criminal history record system. Since its founding, SEARCH has sought to balance the individual's right to privacy with society's need for criminal history information. In 1970, for example, SEARCH first published findings and recommendations regarding the security, privacy and confidentiality of information contained in computerized criminal history files. SEARCH has a long history of involvement with criminal background checks, and has been invaluable to the formulation of national and State policies that guide the scope and use of criminal records.

In 2005, SEARCH published the report of the National Task Force on the Commercial Sale of Criminal Justice Record Information. This report was a comprehensive look at the role that commercial background screening companies play in the collection, main-

tenance, sale, and dissemination of criminal history record information for employment screening and other purposes. SEARCH concluded the work of the National Task Force on the Criminal Backgrounding of America in 2006. This task force report was relied upon by the Department of Justice for its own report on criminal history background checks.

SEARCH has played a critical role in the development of systems such as the Interstate Identification Index, the National Instant Criminal Background Check System, also known as the Brady check system, the National Fingerprint File and the Integrated Automated Fingerprint Identification System. Over its 40-year history, SEARCH's work has helped criminal justice, public safety and first-response professionals use information to combat crimes, acts of terrorism and disasters.

For all these reasons, I urge my colleagues to support this important resolution.

I reserve the balance of my time.

Mr. COBLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in a post-9/11 world, we understand the importance of technology- and information-sharing between law enforcement agencies in keeping this country safe. That is why I support H. Res. 851, which recognizes and honors the 40th anniversary of SEARCH, the National Consortium for Justice Information and Statistics.

SEARCH was created by the Department of Justice's Law Enforcement Assistance Administration in 1969 as a 10-State project. Members of the nonprofit organization are primarily state-level justice officials appointed by the respective State governors. The group's original goal was to see whether it was possible to exchange and share criminal history records on an automated and nationwide basis. SEARCH not only succeeded in demonstrating the possibility of such an information-sharing program, but also, through partnership with the Department of Justice, the Federal Bureau of Investigation, State agencies and other organizations helped to establish the national criminal history record information system.

Specifically, SEARCH has played a major part in developing programs such as biometric technologies like electronic fingerprinting, the Interstate Identification Index, National Instant Criminal Background Check System, National Fingerprint File, the Integrated Automated Fingerprint Identification System, and the National Information Exchange Model. SEARCH also provides training and technical assistance to law enforcement agencies when dealing with high-technology crimes and information gathering.

Through these various technologies, SEARCH has helped agencies do their jobs in a more thorough manner. Offenders often have criminal histories that cross state jurisdictional lines.

Law enforcement officials having quick access to a suspect's complete history means less missing pieces of the puzzle. And through these technologies, SEARCH has also helped agencies to do their jobs in a more time- and resource-efficient manner. This increase in efficiency and decrease in time wasted has proved critical in helping our law enforcement agencies keep America safe.

I support this resolution.

I reserve the balance of my time.

Ms. CHU. Mr. Speaker, I yield 4 minutes to the sponsor of this resolution, the gentlelady from California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, I rise in support of House Resolution 851, which would recognize and honor the 40th anniversary of SEARCH, the National Consortium For Justice Information and Statistics, an organization that's headquartered in my hometown of Sacramento. For the last 40 years, SEARCH has been dedicated to administering justice and enhancing public safety, and has been involved in numerous facets of our criminal justice system.

In 1969, SEARCH was established as a 10-state pilot project by the United States Department of Justice to investigate the feasibility of exchanging criminal history records on an automated and nationwide basis. Using the information gathered from this demonstration project and utilizing its partnership with the department, the FBI, and various state agencies and organizations, SEARCH helped create the national criminal history record information system. This framework has enabled State and local governments to collect, maintain and disseminate valuable criminal justice information.

Today, SEARCH continues to provide law enforcement with the necessary tools to combat high-technology crimes. Specifically, the organization partners with the justice and public safety communities to provide quality training programs and hands-on assistance, and ensure that law enforcement agencies are well equipped to gather key intelligence to effectively protect, investigate and respond to such criminal actions.

For example, SEARCH recently assisted local authorities in northern California to apprehend a band of criminals after a reported crime. By employing cyber technology to track cell phone usage and location faster than ever before, these innovative tools help prevent further crimes from occurring.

Time and time again, Mr. Speaker, SEARCH has not only demonstrated its effectiveness in helping solve crimes that have already been committed but has also helped reduce the number of crimes being perpetrated in our neighborhoods. Its unwavering commitment to ensuring our safety and the safety of our children is truly impressive, and I commend the organization's tireless efforts toward this goal.

□ 1430

SEARCH employs 29 professional staff in my district and has representatives in every State across this country.

I ask that my colleagues join me today in celebrating the 40th anniversary of the National Consortium for Justice Information and Statistics and in honoring its incredible contributions to our criminal justice system.

Mr. COBLE. Mr. Speaker, I have no requests for time, and I yield back the balance of my time.

Ms. CHU. Mr. Speaker, I urge my colleagues to support House Resolution 851, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. CHU) that the House suspend the rules and agree to the resolution, H. Res. 851.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

H.R. 3360, by the yeas and nays;

H. Res. 841, by the yeas and nays;

The Speaker's approval of the Journal, de novo;

H. Res. 891, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

CRUISE VESSEL SECURITY AND SAFETY ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3360, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. CUMMINGS) that the House suspend the rules and pass the bill, H.R. 3360, as amended.

The vote was taken by electronic device, and there were—yeas 416, nays 4, not voting 14, as follows:

[Roll No. 892]

YEAS—416

Abercrombie	Austria	Bean
Ackerman	Baca	Becerra
Aderholt	Bachmann	Berkley
Adler (NJ)	Bachus	Berman
Akin	Baird	Berry
Alexander	Baldwin	Biggert
Altmire	Barrow	Bilbray
Andrews	Bartlett	Bilirakis
Arcuri	Barton (TX)	Bishop (GA)

Bishop (NY)	Fortenberry	Lofgren, Zoe
Bishop (UT)	Foster	Lowey
Blackburn	Fox	Lucas
Blumenauer	Frank (MA)	Luetkemeyer
Blunt	Franks (AZ)	Lujan
Bocciari	Frelinghuysen	Lungren, Daniel
Boehner	Fudge	E.
Bonner	Galleghy	Lynch
Bono Mack	Garamendi	Mack
Boozman	Garrett (NJ)	Maffei
Boren	Gerlach	Maloney
Boswell	Giffords	Manzullo
Boucher	Gingrey (GA)	Marchant
Boustany	Gohmert	Markey (CO)
Boyd	Gonzalez	Markey (MA)
Brady (PA)	Goodlatte	Marshall
Brady (TX)	Gordon (TN)	Massa
Braley (IA)	Granger	Matheson
Bright	Graves	Matsui
Brown, Corrine	Grayson	McCarthy (CA)
Brown-Waite,	Green, Al	McCarthy (NY)
Ginny	Green, Gene	McCaul
Buchanan	Griffith	McClintock
Burgess	Grijalva	McCollum
Burton (IN)	Guthrie	McCotter
Butterfield	Gutierrez	McDermott
Buyer	Hall (NY)	McGovern
Calvert	Hall (TX)	McHenry
Camp	Halvorson	McIntyre
Campbell	Hare	McKeon
Cantor	Harman	McMahon
Capito	Harper	McMorris
Capps	Hastings (FL)	Rodgers
Cardoza	Hastings (WA)	McNerney
Carnahan	Heinrich	Meek (FL)
Carney	Heller	Meeks (NY)
Carson (IN)	Hensarling	Melancon
Carter	Herger	Mica
Cassidy	Herseeth Sandlin	Michaud
Castle	Higgins	Miller (FL)
Castor (FL)	Hill	Miller (MI)
Chaffetz	Himes	Miller (NC)
Chandler	Hinche	Miller, Gary
Childers	Hinojosa	Miller, George
Chu	Hirono	Minnick
Clarke	Hodes	Mitchell
Clay	Hoekstra	Mollohan
Cleaver	Holden	Moore (KS)
Clyburn	Holt	Moore (WI)
Coble	Honda	Moran (KS)
Coffman (CO)	Hoyer	Moran (VA)
Cohen	Hunter	Murphy (CT)
Cole	Inglis	Murphy (NY)
Conaway	Inslee	Murphy, Patrick
Connolly (VA)	Israel	Murphy, Tim
Conyers	Issa	Murtha
Cooper	Jackson (IL)	Myrick
Costa	Jenkins	Nadler (NY)
Costello	Johnson (GA)	Napolitano
Courtney	Johnson (IL)	Neal (MA)
Crenshaw	Johnson, E. B.	Neugebauer
Crowley	Johnson, Sam	Nunes
Cuellar	Jones	Nye
Culberson	Jordan (OH)	Oberstar
Cummings	Kagen	Obey
Dahlkemper	Kanjorski	Olson
Davis (CA)	Kaptur	Olver
Davis (KY)	Kennedy	Ortiz
Davis (TN)	Kildee	Owens
DeFazio	Kilpatrick (MI)	Pallone
DeGette	Kilroy	Pascarell
DeLauro	Kind	Pastor (AZ)
Dent	King (IA)	Paulsen
Diaz-Balart, L.	King (NY)	Payne
Diaz-Balart, M.	Kingston	Pence
Dicks	Kirk	Perlmutter
Dingell	Kirkpatrick (AZ)	Perrillo
Doggett	Kissell	Peters
Donnelly (IN)	Klein (FL)	Peterson
Doyle	Kline (MN)	Petri
Dreier	Kosmas	Pitts
Driehaus	Kratovil	Platts
Duncan	Kucinich	Poe (TX)
Edwards (MD)	Lamborn	Polis (CO)
Edwards (TX)	Lance	Pomeroy
Ehlers	Langevin	Posey
Ellison	Larsen (WA)	Price (GA)
Ellsworth	Larson (CT)	Price (NC)
Emerson	Latham	Putnam
Engel	LaTourette	Quigley
Eshoo	Lat	Radanovich
Etheridge	Lee (CA)	Rahall
Fallin	Lee (NY)	Rangel
Farr	Levin	Rehberg
Fattah	Lewis (CA)	Reichert
Finer	Linder	Reyes
Fleming	Lipinski	Richardson
Forbes	LoBiondo	Rodriguez
	Loeb	Roe (TN)

Rogers (AL)	Shadegg	Titus
Rogers (KY)	Shea-Porter	Tonko
Rogers (MI)	Sherman	Towns
Rooney	Shimkus	Tsongas
Ros-Lehtinen	Shuler	Turner
Roskam	Shuster	Upton
Ross	Simpson	Van Hollen
Rothman (NJ)	Sires	Velázquez
Roybal-Allard	Skelton	Visclosky
Royce	Slaughter	Walden
Ruppersberger	Smith (NE)	Walz
Rush	Smith (NJ)	Wamp
Ryan (OH)	Smith (TX)	Wasserman
Ryan (WI)	Smith (WA)	Schultz
Salazar	Snyder	Waters
Sánchez, Linda	Souder	Watson
T.	Space	Watt
Sanchez, Loretta	Speier	Waxman
Sarbanes	Spratt	Weiner
Scalise	Stark	Welch
Schakowsky	Stearns	Westmoreland
Schauer	Stupak	Wexler
Schiff	Sullivan	Whitfield
Schmidt	Sutton	Wilson (OH)
Schock	Taylor	Wilson (SC)
Schrader	Teague	Wittman
Schwartz	Terry	Wolf
Scott (GA)	Thompson (CA)	Woolsey
Scott (VA)	Thompson (MS)	Wu
Sensenbrenner	Thompson (PA)	Yarmuth
Serrano	Thornberry	Young (AK)
Sessions	Tiberi	
Sestak	Tierney	

NAYS—4

Broun (GA)
Flake

Lummis
Paul

NOT VOTING—14

Barrett (SC)	Deal (GA)	Pingree (ME)
Brown (SC)	Delahunt	Rohrabacher
Capuano	Jackson-Lee	Tanner
Davis (AL)	(TX)	Tiahrt
Davis (IL)	Lewis (GA)	Young (FL)

□ 1458

Mr. CONAWAY changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DRIVE SAFER SUNDAY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 841, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BISHOP) that the House suspend the rules and agree to the resolution, H. Res. 841.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 1, not voting 20, as follows:

[Roll No. 893]

YEAS—413

Abercrombie	Bachus	Bilirakis
Ackerman	Baird	Bishop (GA)
Aderholt	Baldwin	Bishop (NY)
Adler (NJ)	Barrow	Bishop (UT)
Akin	Bartlett	Blackburn
Alexander	Barton (TX)	Blumenauer
Altmire	Bean	Blunt
Andrews	Becerra	Bocciari
Arcuri	Berkley	Boehner
Austria	Berry	Bonner
Baca	Biggert	Bono Mack
Bachmann	Bilbray	Boozman

Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (KY)
Davis (TN)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
DrieHaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi

Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseht Sandlin
Higgins
Hill
Himes
Hinchev
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (GA)
Linder
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack

Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris
Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Olson
Ortiz
Owens
Pallone
Pascarell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger

Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schradler
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson

Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Titus
Tonko
Towns
Tsongas

NAYS—1

Paul

NOT VOTING—20

Barrett (SC)
Berman
Brown (SC)
Capuano
Cardoza
Davis (AL)
Davis (IL)

Deal (GA)
Delahunt
Jackson-Lee (TX)
Larson (CT)
Lewis (CA)
Obey

Oliver
Pingree (ME)
Rohrabacher
Tanner
Tiaht
Tiberi
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1505

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. TIBERI. Mr. Speaker, on rollcall No. 893, I was meeting with a constituent here in the Capitol but was not able to make it back to the floor to cast a vote before time expired. Had I been present, I would have voted “yea.”

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CULBERSON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 177, answered “present” 1, not voting 13, as follows:

[Roll No. 894]

AYES—243

Abercrombie
Ackerman
Adler (NJ)
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capito
Capps
Carnahan
Carson (IN)
Castle
Castor (FL)
Chaffetz
Chandler
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costello
Courtney
Crowley
Cummings
Dahlkemper
Davis (CA)
Davis (TN)
DeFazio
DeGette
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Dreier
DrieHaus
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Gerlach
Gonzalez
Goodlatte
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman

Harper
Hastings (FL)
Heinrich
Heller
Herseht Sandlin
Higgins
Hill
Hinchev
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirk
Kissell
Klein (FL)
Kosmas
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis (GA)
Loeb sack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (MA)
Massa
Matheson
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Oliver
Ortiz

Owens
Pallone
Pascarell
Pastor (AZ)
Paul
Paulsen
Payne
Perlmutter
Perriello
Peters
Pitts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Reyes
Richardson
Rodriguez
Rooney
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger

NOES—177

Aderholt
Akin
Alexander
Altmire
Arcuri
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Bilbray

Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Bright

Broun (GA)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao

Cardoza Jenkins Pence
Carney Johnson, Sam Peterson
Carter Jordan (OH) Petri
Cassidy King (IA) Platts
Childers King (NY) Poe (TX)
Coble Kingston Price (GA)
Coffman (CO) Kirkpatrick (AZ) Rehberg
Cole Kline (MN) Reichert
Conaway Kratochvil Roe (TN)
Connolly (VA) Lamborn Rogers (AL)
Costa LaTourette Rogers (KY)
Crenshaw Latta Rogers (MI)
Cuellar Lee (NY) Ros-Lehtinen
Culberson Lewis (CA) Roskam
Davis (KY) Linder Royce
Diaz-Balart, L. Lipinski Ryan (WI)
Diaz-Balart, M. LoBiondo Scalise
Donnelly (IN) Lucas Schmidt
Duncan Luetkemeyer Sensenbrenner
Ehlers Lummis Sessions
Ellsworth Lungren, Daniel Shadegg
Emerson E. Shimkus
Fallin Mack Shuler
Flake Manzullo Shuster
Fleming Marchant Simpson
Forbes Markey (CO) Smith (NE)
Fortenberry Marshall Smith (NJ)
Foxy McCaul Smith (TX)
Frelinghuysen McCotter Souder
Gallegly McKeon Stearns
Garrett (NJ) McMorris Stupak
Giffords Rodgers Sullivan
Gingrey (GA) Melancon Taylor
Gordon (TN) Mica Terry
Granger Miller (FL) Thompson (CA)
Graves Miller (MI) Thompson (PA)
Griffith Miller, Gary Titus
Guthrie Minnick Turner
Hall (TX) Mitchell Upton
Hastings (WA) Moran (KS) Walden
Hensarling Murphy (NY) Wamp
Herger Murphy, Tim Westmoreland
Himes Myrick Whitfield
Hoekstra Neugebauer Wilson (SC)
Hunter Nunes Wiltman
Inglis Nye Wolf
Issa Olson Young (AK)

ANSWERED "PRESENT"—1

Gohmert

NOT VOTING—13

Barrett (SC) Deal (GA) Rohrabacher
Brown (SC) Delahunt Tanner
Capuano Jackson-Lee Tiahrt
Davis (AL) (TX) Young (FL)
Davis (IL) Pingree (ME)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1513

Mr. LAMBORN changed his vote from "aye" to "no."

So the Journal was approved.

The result of the vote was announced as above recorded.

HONORING COAST GUARD AND MARINE CORPS AIRCRAFT PILOTS LOST IN CALIFORNIA

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 891, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. CUMMINGS) that the House suspend the rules and agree to the resolution, H. Res. 891, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 15, as follows:

[Roll No. 895]

YEAS—419

Abercrombie Culberson Johnson (IL)
Ackerman Cummings Johnson, E. B.
Aderholt Davis (CA) Johnson, Sam
Adler (NJ) Jones
Akin Davis (KY) Jordan (OH)
Alexander Davis (TN) Kagen
Altmire DeFazio Kanjorski
Andrews DeGette Kaptur
Arcuri DeLauro Kennedy
Austria Dent Kildee
Baca Kilpatrick (MI) Kilroy
Bachmann Diaz-Balart, M. Kind
Bachus Dicks King (IA)
Baird Dingell King (NY)
Baldwin Doggett Kingston
Barrow Donnelly (IN) Kirk
Bartlett Doyle Kirkpatrick (AZ)
Barton (TX) Dreier Kissell
Bean Driehaus Klein (FL)
Becerra Duncan Kline (MN)
Berkley Edwards (MD) Kosmas
Berman Edwards (TX) Kratochvil
Berry Ehlers Kucinich
Biggert Ellison Lamborn
Bilbray Ellsworth Lance
Bilirakis Emerson Langevin
Bishop (GA) Engel Larsen (WA)
Bishop (NY) Eshoo Larson (CT)
Bishop (UT) Etheridge Latham
Blackburn Fallin LaTourette
Blumenauer Farr Latta
Blunt Fattah Lee (CA)
Bocieri Filner Lee (NY)
Boehner Flake Levin
Bonner Fleming Lewis (CA)
Bono Mack Forbes Lewis (GA)
Boozman Fortenberry Linder
Boren Foster Foxx
Boswell Frank (MA) Lipinski
Boucher Frank (AZ) LoBiondo
Boustany Franks (AZ) Loeb sack
Boyd Frelinghuysen Lofgren, Zoe
Brady (PA) Fudge Lowey
Brady (TX) Gallegly Lucas
Braley (IA) Garamendi Luetkemeyer
Bright Garrett (NJ) Lujan
Broun (GA) Gerlach Lummis
Brown, Corrine Giffords Lungren, Daniel
Brown-Waite, E.
Ginny Gohmert
Buchanan Gonzalez
Burgess Goodlatte
Burton (IN) Granger
Butterfield Graves
Buyer Grayson
Calvert Green, Al
Camp Griffith
Campbell Grijalva
Cantor Guthrie
Cao Gutierrez
Capito Hall (NY)
Capps Hall (TX)
Cardoza Halvorson
Carnahan Hare
Carney Harman
Carson (IN) Harper
Carter Hastings (FL)
Cassidy Hastings (WA)
Castle Heinrich
Castor (FL) Heller
Chaffetz Hensarling
Chandler Herger
Childers Herseth Sandlin
Chu Higgins
Clarke Hill
Clay Himes
Cleaver Hinchey
Clyburn Hinojosa
Coble Hirono
Coffman (CO) Hodes
Cohen Hoekstra
Cole Holden
Conaway Holt
Connolly (VA) Honda
Conyers Hoyer
Cooper Hunter
Costa Inglis
Costello Inslee
Courtney Issa
Crenshaw Jackson (IL)
Crowley Jenkins
Cuellar Johnson (GA)

Moran (VA) Rogers (AL) Speier
Murphy (CT) Rogers (KY) Spratt
Murphy (NY) Rogers (MI) Stark
Murphy, Patrick Rooney Stearns
Murphy, Tim Ros-Lehtinen Stupak
Murtha Roskam Sullivan
Myrick Ross Sutton
Nadler (NY) Rothman (NJ) Taylor
Neal (MA) Roybal-Allard Teague
Neugebauer Royce Terry
Nunes Ruppertsberger Thompson (CA)
Nye Rush Thompson (MS)
Oberstar Ryan (OH) Thompson (PA)
Obey Ryan (WI) Thornberry
Olson Salazar
Olver Sanchez, Linda
Ortiz T. Tierney
Owens Sanchez, Loretta Titus
Pallone Sarbanes Tonko
Pascarell Scalise Towns
Pastor (AZ) Schakowsky Tsongas
Paul Schauer Turner
Paulsen Schiff Upton
Payne Schmidt Van Hollen
Pence Schock Velázquez
Perlmutter Schrader Visclosky
Perriello Schwartz Walden
Peters Scott (GA) Walz
Peterson Scott (VA) Wamp
Petri Sensenbrenner Wasserman
Pingree (ME) Serrano Schultz
Pitts Sessions Waters
Platts Sestak Watson
Poe (TX) Shadegg Watt
Polis (CO) Shea-Porter Waxman
Pomeroy Sherman Weiner
Posey Shimkus Welch
Price (GA) Shuler Westmoreland
Price (NC) Shuster Wexler
Putnam Simpson Whitfield
Quigley Sires Wilson (OH)
Radanovich Skelton Wilson (SC)
Rahall Slaughter Wittman
Rangel Smith (NE) Wolf
Rehberg Smith (NJ) Woolsey
Reichert Smith (TX) Wu
Reyes Smith (WA) Yarmuth
Richardson Snyder Young (AK)
Rodriguez Souder Young (FL)
Roe (TN) Space

NOT VOTING—15

Barrett (SC) Delahunt Napolitano
Brown (SC) Gordon (TN) Rohrabacher
Capuano Green, Gene Tanner
Davis (AL) Israel Tiahrt
Davis (IL) Jackson-Lee
Deal (GA) (TX)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1520

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3904

Mr. HINOJOSA. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 3904.

The SPEAKER pro tempore (Mr. JACKSON of Illinois). Is there objection to the request of the gentleman from Texas?

There was no objection.

INTERNATIONAL ATOMIC ENERGY AGENCY REPORT ON IRAN

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. QUIGLEY. Mr. Speaker, today the International Atomic Energy Agency released disturbing new information about Iran. The U.N. watchdog said Iran could be constructing several more covert nuclear installations. The report also said that Iran lied about the facility we do know about, saying construction began in 2007 when satellite photos prove it was started in 2002.

Most disturbing of all, the report indicates that Tehran has now produced 1¾ tons of low-enriched uranium. That is enough for two bombs if enriched further. Four weeks ago, Iran was offered a deal to ship its uranium overseas for processing, but instead of accepting, it gave us more delays. Today's report makes it clear that we can't afford to offer any more deals or accept any more delays.

This House took full action when it passed the Iran Sanctions Enabling Act and must now pass the Iran Refined Petroleum Sanctions Act. The time for action is now.

AMERICANS OPPOSE AMNESTY

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, with 15 million people unemployed, it's no wonder that Americans increasingly are concerned about illegal immigration. A CNN/Opinion Research poll found that only 36 percent of Americans now approve of the President's handling of illegal immigration, and 58 percent disapprove.

The poll also found that 73 percent of Americans want to see the number of illegal immigrants in the U.S. decreased. This is the highest percentage since the question was first asked in 2006. In addition, Gallup reported that a percentage of Americans supporting a decrease in overall immigration levels increased from 39 percent to 50 percent in the last year.

The Obama administration should put the interests of Americans ahead of those of illegal immigrants.

NEW YORKERS DEMAND JUSTICE

(Mr. WEINER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WEINER. Mr. Speaker, earlier today, in an effort to scare people and to frighten them, a Member of this House came to the floor and suggested that the idea of having the trial of Khalid Sheikh Mohammed in New York might jeopardize the family of the mayor of the city of New York.

Now putting aside for a moment that we have an opportunity in New York to have New Yorkers stand before the bar of justice and serve on a jury to finally put Khalid Sheikh Mohammed to death, and that is exactly the way it should be, for any Member of this

House to suggest that somehow to support the decision to have a trial would jeopardize family members of the mayor of the city of New York is outrageous. Now that Member knows who he is. That Member should apologize. That Member then should be quiet.

It is one thing to bring a baby to the floor of Congress and use it as a prop during the health care debate and quite another to suggest that the family of the mayor of the city of New York might be in danger because they have a different political view of how to carry out justice.

CONFERRING U.S. CONSTITUTIONAL RIGHTS ON FOREIGN SOLDIERS

(Mr. CULBERSON asked and was given permission to address the House for 1 minute.)

Mr. CULBERSON. Mr. Speaker, for the first time in American history, foreign soldiers captured on foreign battlefields are being given U.S. constitutional rights. The bigger issue for me and my constituents and the people of Texas, what outrages us most about these terrorists being tried in New York, is that now for the first time, this administration and this liberal Congress are giving U.S. constitutional rights to foreign soldiers captured on foreign battlefields.

They are going to lawyer up at taxpayer expense. They are going to all ask for every constitutional right that a regular U.S. criminal defendant gets, and they are going to get off on technicalities. Now think about that for a minute. Khalid Sheikh Mohammed and these terrorists are going to be freed on technicalities.

No U.S. soldier should be held to the same standard as a police officer on the streets of New York. It's wrong. It violates our core principles as a Nation, and it endangers our military. We cannot give U.S. constitutional rights to enemy soldiers captured on foreign battlefields, especially these murderers, these terrorists held at Guantanamo.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. BRIGHT). Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

NIDAL HASAN, TERRORIST—AKA "ALIEN UNLAWFUL BELLIGERENT"

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE of Texas. Mr. Speaker, Major Nidal Malik Hasan is a terrorist. If anyone needs confirmation, it says on his own business cards, Soldier of Allah, and those business cards were

found in his apartment. Within an hour of his terrorist attack on Fort Hood, the FBI quickly told us he is not a terrorist. The authorities told us not to jump to conclusions while they jump to conclusions.

The news media has called Hasan everything but a terrorist. Hasan was called a "lone gunman" or a "troubled individual" who somehow suffered from post-traumatic stress disorder. The main problem with that is he hadn't been deployed overseas, so how could he have post-traumatic stress disorder? Maybe it should be called pre-post-traumatic stress disorder.

They said Hasan's terrorist rampage was an "isolated incident," a "random act of violence." Hasan was "under stress," "harassed" and was somehow forced to "snap." And they even blame it on guns. But don't call him a terrorist.

The day after Hasan's terrorist attack, reports leaked out that he had yelled the standard terrorist "Allahu Akbar," Arabic for "God is great," while gunning down innocent people.

According to The Dallas Morning News, authorities are investigating whether Hasan wired money to Pakistan terrorist groups in recent months.

□ 1530

His apartment cost \$350 a month and didn't have much furniture in it. He drove an old car, but he made over \$100,000 a year. Now people are asking, Where did all that money go?

According to a colleague at Walter Reed Hospital, Hasan gave an hour-long lecture there on what he called the "Koranic View of Military Service, Jihad, and War." Instead of the medical lecture he was supposed to talk about, Hasan talked about punishment visited upon infidels—consignment to hell, decapitation, and having hot oil poured down your throat. According to his colleague at the hospital, this "freaked a lot of doctors out." Well, no kidding. But apparently not enough for anyone to break their politically correct silence and report him. Why have the politically correct police made those who report crime so timid?

Hasan's colleagues said that he was the kind of guy who the staff actually stood around in the hallway saying, Do you think this guy is a terrorist or is he just odd? Nothing was done. And why wasn't he formally reported by colleagues? There are no answers.

Hasan exchanged emails with an al Qaeda recruiter in Yemen 20 times. According to the Wall Street Journal, the Pentagon said they were never told by intelligence agencies about the emails, which raises even more questions.

The FBI, Army Intelligence, the CIA, apparently they're still not talking to each other. So we need congressional investigations on this entire situation. I've asked that the Terrorism Subcommittee, which I serve on in Congress, investigate this situation.

There were warning signs that were ignored because he was a Muslim. Is

this a reflection on all Muslims in the Army? Absolutely not. We have those in the Muslim faith loyally serving in Iraq and Afghanistan. Many speak Farsi and help our troops in combat. But it is a reflection on one person who radicalized.

There were warning signs, and interventions should have occurred much earlier. It's a reflection on the Army's ability to be decisive and take care of business, take care of a threat when they see it. They missed the obvious. The question is: Is this continuing to happen in the military? Are they going to continue to ignore the obvious? Hasan had murdered 14 people, including a pregnant soldier and her unborn child. She was sent back home from Iraq out of the war zone to have her baby.

Mr. Speaker, when it gets to the point where political correctness puts the lives of our troops in danger on American soil at their home base, it's well past time to stop playing preposterous PC games.

By the way, Mr. Speaker, do you know what the military officially calls terrorists? We don't use that term "terrorist" anymore. They are officially called alien unlawful belligerents. Now, isn't that lovely. We can't call them terrorist or killers or criminals because that might hurt their feelings.

The American military, the FBI, and the media must deal with the facts and the truth without trying to mislead the American public.

And that's just the way it is.

SMART POWER CAN SUCCEED WHERE MILITARY POWER ALONE HAS FAILED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, last week on Veterans Day the American people paid tribute to the heroic men and women who have and are serving in our military. Fortunately, most veterans return home safe and sound. They devote themselves to their families. They become leaders in their communities. I know many veterans in my district. They are among the most respected and beloved neighbors. But too many veterans, Mr. Speaker, never get the chance to resume their lives. They die in battle or they return home with terrible wounds that will never heal. Their loving families feel scars of war, too—especially the children.

Today, American soldiers continue to face danger in Afghanistan and in Iraq. Nearly 5,300 have already died in those two conflicts. About 35,000 have been wounded. And when the wounded return home, they often face many challenges.

According to a study by the Harvard Medical School, over 130,000 veterans are homeless. Over 2,200 veterans died last year because they didn't have

health insurance. And, Mr. Speaker, many veterans are out of work in this recession.

This Congress and President Obama and his administration recognize these problems and we made some good progress in addressing them. This House has passed new legislation that helps veterans. We have passed a strong health insurance reform bill that will help veterans. In addition, General Shinseki, the Secretary of Veterans Affairs, has promised an all-out effort to end veterans' homelessness. He has also launched a new effort to strengthen housing, education, employment, and medical care opportunities for our veterans.

We need to do all of this, Mr. Speaker, and we need to do more. But I have always believed that the best way to serve our veterans is to do everything we can to keep them out of harm's way in the first place. That means sending our troops to war only as a last resort, when we have explored every other alternative.

In Afghanistan, we haven't met that test. We have relied almost exclusively on the military solution for over 8 long years. And we see where that's gotten us—absolutely nowhere.

Mr. Speaker, we have learned that there is no military solution to Afghanistan, and we've learned that lesson the hard way. We have learned it through the number of dead and wounded. That's why I urge President Obama to say "no" to sending more troops to Afghanistan. Our troops have already been stretched to the limit by repeated deployments. Their families have already suffered enough on the homefront. Escalating the war will only help the violent extremists in Afghanistan to recruit more violent extremists to attack our troops.

Instead of pursuing the same failed strategy of the past, I have called for a new strategy that relies on all the effective tools of smart security. These tools include diplomacy, humanitarian aid, economic development, education, civil affairs, and better intelligence and police work to search out and capture extremists. At least 80 percent of all further funding for Afghanistan should be devoted to these smart power efforts.

Mr. Speaker, the casualty figures are growing in Afghanistan. We owe it to our courageous troops to protect their lives before we have another Iraq on our hands. Smart security must be used because it can get us a lot farther in Afghanistan, much further than military power alone.

Mr. Speaker, let's change our strategy before it's too late. Let's bring our troops home. Let's bring them home safe, sound, and successful.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ASTRONAUT ROBERT SATCHER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Yesterday, as STS-129 lifted off, there was a very definite glint of pride in my eyes and spring in my step because one of the astronauts on board was Mission Specialist Robert Satcher, doctor, chemical engineer, and native of Oak Park, Illinois, and the Seventh Congressional District.

Dr. Satcher is the second astronaut to hail from Oak Park on the western border of Chicago. Any community to boast of such a record of producing astronauts deserves a second look, but for a community with just over 50,000 residents to accumulate such a record, something must be going on that is very right. But, of course, in the end, it is up to the individual to determine what to do with the circumstances of their lives.

Dr. Robert Satcher has done some amazing things with his life. An orthopedic surgeon who practices at Northwestern Memorial and Children's Memorial hospitals, teaches at Northwestern University Medical School, does research at the Lurie Comprehensive Cancer Center of Northwestern and the Institute for Bioengineering and Nanotechnology in Advanced Medicine at Northwestern, Dr. Satcher is a nephew of former U.S. Surgeon General David Satcher. He is married to Dr. D'Juanna Satcher, and they have a daughter, Daija.

Dr. Satcher was a Schweitzer Fellow at the Albert Schweitzer Hospital in Lambarene, Gabon, completed numerous medical missions for outreach care to underserved areas in Nicaragua, Venezuela, Nigeria, Burkina Faso, and Gabon. He held internships at DuPont in the Textile Fibers Research Group and the Polymer Products Division.

Growing up, he was a National Merit Scholar and received the Monsanto Award and the Albert G. Hill Award from MIT, fellowships from both the Robert Wood Johnson Foundation and the UNCF/Merck Research Foundation, and is a member of the Tau Beta Pi Engineering Honor Society. He is a Leadership Fellow of the American Academy of Orthopedic Surgeons, ABC Fellow of the American Orthopedic Association, Bloomberg Leadership Fellow, and has completed 12 research grants and has 15 peer-review publications and over 25 presentations at national and international research meetings.

He has been active in the Big Brother for Youth at Risk Counseling Program; Department of Corrections, San Francisco, California; a tutor for the Black Student Union tutorial program at MIT; the National Society of Black Engineers; the American Institute of Chemical Engineering; a supervising adult for Cub Scout Camp for Boys in Nashville, Tennessee; and he is a lay Episcopal minister with primary responsibility for visiting the sick and

shut-in members of the church at St. Edmonds Episcopal Church in Chicago and St. James Episcopal Church in Houston.

He was selected for Astronaut Candidate training by NASA in May of 2004 and completed training in February of 2006. On STS-129, Dr. Satcher is scheduled to perform two EVAs—space walks—among other assignments. For those who want to follow Dr. Satcher on Twitter, he will be tweeting as astro_bones and ZeroG_MD.

Godspeed to you, Dr. Satcher. Bobby, you have a lot of fans back on Earth, and especially those in Oak Park, Illinois.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE SPOILS OF WAR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. In Iraq, after thousands upon thousands of lost lives and hundreds of thousands of disabling injuries, after a trillion dollars of U.S. treasure added to our Nation's debt, after an incalculable amount of U.S. prestige being lost, one aspect about Iraq remains defining: It's all about oil and the spoils of oil across that region.

Exxon, the largest U.S. oil company, with profits totaling \$40.6 billion in 2008—a record—just got its first contract inside Iraq. Foreign oil companies like Exxon were thrown out of that country four decades ago when Saddam Hussein nationalized Iraq's oil fields.

Michael Klare, in his prescient book about resource wars, "Blood and Oil," connects the dots. What a shame our world is so primitive, people brutally fight over diminishing resources as global energy extraction giants advantage themselves, far from home, in the wake of our soldiers, tapping largesse these oil giants covet.

Iraq ranks fourth in global oil reserves behind Saudi Arabia, Canada,

and Iran. Iraq's central government is now picking winners in the great oil prize bonanza—the "Iraqi Oil Contracting Rush of 2009." Oil has dominated Iraq's economy for generations. Oil has traditionally provided more than 90 percent of that country's exchange earnings, and that is likely to be the case for a few decades to come until it's all sucked dry.

According to the Washington Post, the oil ministry is expected to hold a new bidding round in December for undeveloped fields. Those are also for service agreements. Oil giants hope the deals could one day lead to production-sharing deals, long a goal of energy firms that have been shut out of the Middle East for years.

□ 1545

The oil giants, Exxon-Mobil and Royal Dutch/Shell, signed a \$50 billion deal with Iraq to extract oil from the Western Qurna oil field, one of Iraq's largest oil fields located north of Rumaila field, west of Basra in southern Iraq. Western Qurna is believed to hold 11 to 15 billion barrels of recoverable reserve. This prize of a deal gives Exxon-Mobil, Shell and their partners \$1.90 per barrel above the current production rate of 2.5 million barrels per day, and they hope to increase production to 7 million per day over the next 6 years, meaning a windfall of \$3.1 billion per year.

Are the lives of our soldiers worth it? The giant Exxon Mobil/Shell consortium beat out the other oil giant consortiums, led by Russia's LUKOIL, France's Total and a consortium led by China's CNPC. Dictators have come and gone, foreign armies have come and gone, some still remain.

One thing remains constant about Iraq. Oil is still the big prize. That is why American and European oil company giants going all the way back to the Ottoman Empire have coveted control of their crude. Cynics would even say they have been willing to go to war over it. As we observe the continuing rush to the oil fields by a world that must transition to a greener and sustainable energy future, one must ask the tough question, Are the lives of our noble military going to be expended—for how long?—far away from home to access a resource that is diminishing globally while America's Treasury is emptied, supporting wars in foreign places to tap a resource that, by 2050, will be gone, never to return again.

Civilized people should demand more than fighting resource wars of the past for an oil giant's prizes, for limited remaining time on this planet. It's time to think hard about where we have extended our most precious assets and to say, It's time to come home.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 5 minutes.

(Mr. LINCOLN DIAZ-BALART of Florida addressed the House. His re-

marks will appear hereafter in the Extensions of Remarks.)

HEALTH CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Louisiana (Mr. CASSIDY) is recognized for 60 minutes as the designee of the minority leader.

Mr. CASSIDY. Thank you, Mr. Speaker. Although you called me "mister," I am actually a physician; and so in my other life—I actually saw patients just yesterday at a public hospital in Louisiana, a safety net hospital where I have worked for the last 20 years. So caring for the uninsured has been my life's work since completing my residency and returning home. I've learned that if you don't pay attention to costs that it doesn't matter how passionate you are for the uninsured; the fact is that you are unable to achieve your goals.

There are three goals of health reform, and they're commonly said to be controlling cost to provide access to high-quality care. In the hospital where I work, a safety net hospital, they are committed, they are so passionate for the underserved folks who are med techs, physical therapists, ward clerks, physicians and nurses. But the problem is, if there is a budget shortfall, then inevitably, services suffer.

So it doesn't matter how passionate we are in our service. The fact is that if there are insufficient resources in the State at the end of the budget year, then services suffer. It may be that the nurse staffing has decreased and hospital beds are closed so that if somebody comes to the emergency room, they have to wait in the emergency room before they're admitted. And inevitably when that happens, the hospital goes into what is called divert, whereas instead of coming to our hospital, they will be diverted to another hospital. That's because if you don't control cost, inevitably, access and quality suffer.

Now, I was struck that President Obama agrees with this. President Obama continually speaks about the need to bend the cost curve down, the need to control costs because if we do not control costs, then our economy suffers and the ability to provide care suffers. Now, it's one thing to say that we're going to control cost in order to expand access to quality care, but you've got to have a plan on how to get there.

There is a company called McKinsey & Company, and on their Web site, they have a great article that you can download called "The Three Imperatives of Health Care Reform." Without achieving these three imperatives, then, we cannot control cost in a way which expands access to quality care. Now the three imperatives that they list are decreasing administrative costs, how much money we put into the

bureaucracy as opposed to patient care, incentivizing healthy lifestyle. Put differently, if people insist on smoking and drinking and if they're too heavy, it doesn't matter how much we throw at health care; we will never control cost because we are always try to catch up with the disease as opposed to preventing it. And, lastly, cost transparency. Someone going in for knee surgery needs to know how much her bill will be before she goes in as opposed to learning about it 2 months later when she gets the bill.

It is important for us, therefore, to achieve our goals of cost containment to provide access to quality care to work through these three imperatives. Now, the bill we just passed, H.R. 3962, on the face of it does not achieve these three imperatives. As an example, if you are going to decrease administrative costs, you don't achieve a decrease in administrative costs by creating 111 new bureaucracies, boards, and commissions. It is just laughable to think that we are going to put that much more money into administration, build that many more buildings, hire that many more people and at the same time say we're decreasing administrative costs.

There is very little in the bill that incentivizes a healthy lifestyle. You can argue that those provisions in the bill that address this weaken the current provisions that we're finding effective. And, lastly, there is not a whole lot that provides cost transparency. Indeed, one of the things that has been used to encourage cost transparency is the use of health savings accounts, and now health savings accounts are being taxed, as they have not been before.

So it's not surprising if these three imperatives are not addressed that we can say that cost is not being controlled. Now, by the way, it's not just me who says that costs are not being controlled. We have here a quote from *The Washington Post*, and we also have a quote from *The Washington Times*. The *Post* article says, speaking of this bill: "It does not do enough to control costs, and it is not funded in a sustainable way." The headline from *The New York Times*—I think this was November 10—"Democrats raise alarms over health bill costs." Democrats are raising alarms over the cost of this health bill. That's so important because if you can look in any health care system, if you don't effectively control costs, eventually access to quality care suffers.

I have been living this for 20 years. In my life, I know this to be true. So here we see from a couple different sources, *The Post* and *The Times*, that this bill does not do enough to control costs.

Now, it turns out it isn't just *The Post* and *The Times* that have such concerns. There is an article in *Reuters*, and *Reuters* says that China is now questioning the cost of our U.S. health care reform. Since China buys so much of our debt, it turns out they have a vested interest in making sure

that we have our financial house in order. So to read the article from *Reuters*: "Guess what? It turns out the Chinese are kind of curious about how President Barack Obama's health care reform plans would impact America's huge fiscal deficit. Government officials are using his Asian trip as an opportunity to ask the White House questions. Detailed questions. Boilerplate assurances that America won't default on its debt or inflate the shortfall away are apparently not cutting it."

I think it's important for us as an American people and our country to look at the bill that was just passed that is going over to the Senate and to analyze how well does it control costs. Are the Chinese correct? The *Washington Post*, *The New York Times*, are their articles correct? Or does it, indeed, actually control costs and everyone else is a little bit confused about it?

Well, let's go into that. First, remember our three imperatives: you have to decrease administrative costs, you have to incentivize healthy lifestyles, and you have to put in cost transparency. Let's talk about incentivizing healthy lifestyles and how you do so. Now, as it turns out, when the President talks about preventive medicine, one of the kinds of dirty little secrets of this—and as a physician, I can say this—if you are talking about things such as colonoscopy, actually, if we did a colonoscopy on everybody over 50, as per the current recommendation, it actually costs the system a little bit more. Now, it's a good cost. If you find a polyp, remove it, and prevent cancer, that is actually a very good thing; but it doesn't save money.

But there are some things you can do that will save money. If you can get someone to stop smoking, it actually saves the system money. It also helps them in terms of their health. If you can get someone to lose weight, it actually saves the system money. General Motors did a study—they have got so many employees, they can do this sort of thing—and they found that for every 10 pounds that an employee lost, that their health care costs went down significantly. If the person had high blood pressure, and they lost 10 pounds, their blood pressure got better. They required less medicine. If they had diabetes, the diabetes became easier to control or in some cases the diabetes would go completely away.

Now, there are ways that you can incentivize a healthy lifestyle. Under current law, companies are allowed to decrease by up to 20 percent the premiums they charge their employees if the employee participates in a wellness program. So, for example, Safeway, which is a large grocery store chain across the United States, had a program where they will decrease their premiums by 20 percent for those employees who participate and attend a smoking cessation program. When they do so, they find that people—surprise, surprise—stop smoking.

Similarly, if someone joins an exercise program or a dietary program if they are overweight and they lose weight—now, frankly, as I recall the way it's structured, is that the person just has to join the smoking cessation program. They don't actually have to stop smoking. But just as it turns out, people, if exposed to information, act on that information, and they adjust their lifestyles. So either by an exercise program, a dietitian or by smoking cessation programs, by participating in these, they will lose weight. And Safeway has kept their costs for their health insurance constant, whereas there has been about a 7 to 10 percent inflation rate over the United States.

I just met with a company based in my hometown of Baton Rouge, Edelmayer, and Edelmayer has been having about a 10 percent inflation rate. But 2 years ago, they instituted a program where they first had all their employees come in for a health assessment. Last year they had all their employees come in for a health assessment—for example, do you smoke, are you overweight, but also a physical exam. Next year they are putting in, as a covered benefit, a smoking cessation program.

Then 2 years from now—this is a 4-year process—they are going to decrease premiums for those that participate in these smoking cessation programs. Their premium costs, which have been increasing 7 percent to 10 percent per year, are projected to only rise 3 percent per year when they institute the full program. So by putting in or incentivizing healthy lifestyles, they're going to lower their inflation rate to 3 percent per year.

Now, H.R. 3962 actually weakens these provisions. Republican amendments offered in committee would have increased the amount an employee could save if she participated in a wellness program, but these were defeated basically on party-line votes. Similarly, there is a disassociation in H.R. 3962 from what a company can do to incentivize healthy lifestyles and how this provision works.

As an example, H.R. 3962 requires that a company pay at least 72.5 percent of an employee's insurance premium. Well, if you've got to pay at least 72.5 percent, that limits the amount you can decrease in order to incentivize somebody to participate in a wellness program. Now, the way you could say it is, if someone participates in a wellness program, you would pay 72.5 percent, but if they do not, you are allowed to decrease your contribution to 68 percent.

□ 1600

Now, remember, I'm not saying they have to stop smoking; I'm just saying they have to participate in the wellness program to stop smoking. So there's a key difference. Some people will not be able to, but most people, if given the facts, will be able to do so. So if one of our three imperatives of lowering health care cost is to incentivize

healthy lifestyles, we actually see some of the programs which are now working well are gutted or made less able to work effectively under the bill that we just passed.

Now, we're never going to control cost if we do not incentivize a healthy lifestyle. As a physician, I will tell you that part of what is driving the cost of health care in the United States is the cost associated with diabetes, high blood pressure, heart attack and stroke. The prevalence of these diseases is so much more in our country relative to Europe that there's at least one article out there that suggests that the entirety of the cost differential between the United States and Europe is because the increased expense of treating these diseases such as diabetes, hypertension, high cholesterol, stroke, heart disease; they all kind of go under the term of a metabolic syndrome, if I'm allowed to speak like a physician.

And so if we're not going to get a handle on these, if we're not going to incentivize a healthy lifestyle so that we're not treating the disease on the back end, as opposed to preventing it on the front end, then we will never achieve one of our principle three goals, which is to control cost, because, again, working in a public hospital for 20 years, I've learned, if you do not control cost, you do not have the adequate resources to expand access to quality care. And according to the independent sources, The Washington Post, The New York Times, China, this cost, this bill before us has significant issues as regards its ability to control costs.

Indeed, Centers for Medicare and Medicaid Services, called CMS, the Federal government's already paying for Medicare, which is the health care program for folks 65 and above, and a large amount of money for Medicaid, which is the State Federal program for the poor in each State. And there is a new study, the Centers For Medicare and Medicaid Services, that finds that the health care reform bill recently passed in the House of Representatives will increase health care spending to 21.3 percent of our Gross Domestic Product, compared to 20.8 percent under current law, bending the curve the wrong way.

If the President says that if we do nothing the status quo is such that costs will double, as it turns out, under the reform package passed a week ago in this Chamber, costs more than double. As crazy as it sounds, the reform bill we passed, according to the independent Centers For Medicare and Medicaid Services, the reform bill costs more than the status quo. And I keep saying that because the President said we've got to have reform to control costs. And according to the Federal Government, our reform costs more than the status quo. At a minimum, reform should not cost more than the status quo. We shouldn't bend the curve the wrong way. We should bend the curve the right way.

In addition, the CMS study gives a clearer cost estimate than the one previously given by the Congressional Budget Office. According to the CBO, the 10-year cost of the plan was \$894 billion. But the analysis included earlier years of very little government spending. According to the Center for Medicaid and Medicare Services, the House approach will cost \$1 trillion from 2013 to 2019, or some \$140 billion a year when put into effect.

So, in 7 years, it will cost \$1 trillion. Clearly, if the goals of health care reform are to control costs so that we can expand access to quality care, according to our government, the Chinese government, two prestigious newspapers, this bill did not do so. What does it do? Well, one thing it does is it takes power away from patients and it turns it over to the Federal Government. Now, it's going to sound like rhetoric, so let me elaborate. Again, as a physician who's worked for 20 years with the uninsured, I've learned that when you put the patient in the middle of process, if you say the most important person here is the patient, then actually, you tend to lower costs and have healthier patients.

If you think about it, that program which lowers someone's premiums 20 percent if she participates in a wellness program, it puts the responsibility for someone's health on the person with the greatest ability to make a change—that is the patient. If she is financially rewarded for having a healthier lifestyle, as it turns out she'll have a healthier lifestyle. We, as a society—not only will she be healthier, she will have lower costs and, frankly, those lower costs, among millions of patients, if you will, lowers the cost for the system.

There's one way to explain this. There's something in the Republican proposals called health savings accounts. Now, in a health savings account, you put the patient in the middle of the process in the following fashion: A health savings account takes the money that a family would normally spend for a health care premium. It sluices off a portion of it and puts it into a bank account. So if with a traditional insurance policy, at the beginning of the year, a family of four puts up \$12,000, if at the end of the year they've not seen a doctor, well, they've put up another \$12,000 for the next year. At the end of the year they put up another 12,000, and every year they put up another 12,000. In a health savings account you sluice off a portion, and you put it into an account.

Now, that money comes from the money you'd ordinarily be spending for a premium. But instead of spending it for a premium, you put it in this bank account. And instead of asking the insurance company to pay for a flu shot, you pay for it out of your bank account. Instead of asking for the insurance company to pay for your arthritis medicine, you'd pay for it out of your bank account. The advantage is, at the

end of the year, if you have money left over, instead of losing it, it rolls over until the next year. Or, if you have a family member whose costs are excessive, you can donate portions of your health savings account to your family member.

And so, with that money, it is money that you are incentivized to spend wisely. I'll give you an example. Two patients come to mind, or three patients. There's one patient who's got a traditional insurance policy, and a very nice woman. And she's got an expensive policy but she's a woman of means and she can afford it. And she says, I never look at the bill. If the doctor writes me a generic or a name brand drug I don't care. My insurance pays for it. When I get a bill from the hospital, I don't look at it. The insurance pays for it.

And so, because the insurance pays for everything, she likes her insurance policy, but she's got the money to pay for it. Contrast that with someone like the gentleman I'm about to describe. We're talking about health savings accounts. He goes, I have a health savings account. I went to my doctor and my doctor wrote me a prescription for a medicine that I knew by experience would cost \$159. Now, notice, he didn't say \$160. He said \$159, because he's paying for this out of his account. And he said, my doctor wrote me for this medicine for \$159. I said, Doc, I have a health savings account. Do you mind writing me for something cheaper? And the physician said, I'm sorry. You have an HSA, and he tore up that prescription and he wrote him for a generic.

Now, you can say, why didn't the doctor write for the generic in the first place? He probably should have. On the other hand, who is most responsible for an individual's health? The person most responsible for an individual's health is that individual. And so, just like if I were to go to Target or Wal-Mart and say, okay, I'm going to buy school uniforms for my children, it's really not Target's responsibility to prove to me that they are cheaper than Wal-Mart. It's my responsibility to see who's cheaper and then to go to the place that gives me the best value for my money.

So it puts the responsibility where probably it most rightfully should be. And frankly, with that responsibility, the man responded. Instead of getting a medicine that costs \$159, he got a medicine that cost \$20. The system saved \$139. If you multiply that across the millions of transactions, then this system saves millions and even billions of dollars.

Now, we have just gone from the anecdote of an individual patient. Let's talk about a study. Kaiser Family Foundation, a little bit of a left of center group, but a good group, did a study where they compared the cost for a family of four which had a health savings account with a catastrophic policy on top, so if they have a terrible illness like a liver transplant that exceeded

the amount of money in their account, the catastrophic policy picks it up on the top end. They compared it with the cost of a traditional insurance policy for a family of four. They found that the family of four, with the HSA, the health savings account, and the catastrophic policy on top, they found that that family's cost of that HSA and catastrophic policy was 30 percent cheaper than the cost of the traditional insurance policy for a family of four. And they found that both families used preventive services as frequently.

So what we have here, if our goals of health care reform are to control cost, to expand access to quality care by lowering premiums, the Kaiser Family Foundation found that the family with the HSA and catastrophic policy, their policy costs were 30 percent cheaper compared to traditional insurance.

They also found that 27 percent of those people who had an HSA and a catastrophic policy were previously uninsured; that 50 percent of people with these sorts of policies had family incomes of \$50,000 or less, and that about 60 percent of such families had family incomes of \$70,000 or less.

So, by controlling cost, the HSA catastrophic policy, 30 percent cheaper, by controlling cost, those people who were previously uninsured, 27 percent of the folks with these HSAs were previously uninsured, were able to now purchase insurance, and with this insurance they access preventive services as frequently as those with traditional policies. So the goals of reform were achieved. Lowered cost, expanded access to quality care.

I've been joined by a colleague of mine who is also a physician, a family physician, also a small businessman. And Dr. FLEMING, we're discussing costs and how control of cost is so essential to expanding access to quality care. Do you mind sharing the anecdote of that employee, when your group went to HSAs, because I want to show how the two things I've discussed so far have been how you can incentivize healthy lifestyles and control costs by decreasing premiums, if you will, and also how health savings accounts, by directly connecting people with costs, can also be cost savings. Your anecdote combines those two. Can I ask you to share that?

Mr. FLEMING. Sure. I thank the gentleman, Dr. CASSIDY, my colleague from Louisiana for doing a Special Order today, an opportunity to speak on that very subject. Yes. What you're referring to is a case in which my companies, my nonmedical companies, seeing health care premiums rising an average of 10 to 15 percent per year, we found that to be an unsustainable increase. And we began to analyze what are the choices, what are the options. Maybe we would pay less of the premiums, perhaps we would just stop insurance all together. We really weren't sure what we could do.

And then I recall something that at that time was a brand new concept,

and that is a health savings account, where you lift the deductible of the policy to a higher level, saving a premium cost, but then, in turn, put the incremental increase that comes up to what the premium would be into a health savings account. So we began that about 6 years ago. We brought the deductible up to about \$3,000. And employees would get as much as \$50 a month put into their health savings accounts where they could purchase any health care service or item they needed, pretax.

□ 1615

In explaining this to my employees, however, as we gathered together, I wanted to make sure everyone was on the same page. I suggested to them that this was the way we probably would want to go, but I wanted to get the input as to what their concerns might be.

We had a lady who said, "Well, you know, the problem with this is my inhalers. If I have to pay for them out of my pocket or my health savings account each month, it is going to cost me \$100, maybe \$150 a month. And true enough, this would come out of my health savings account, but I don't know that my health savings account would be able to withstand that."

So I said to her, "Well, let's think this through. Perhaps you should consider doing a smoking cessation program, stop smoking altogether. You could throw away all of your inhalers; you would save money on the cigarettes; you would save money on the money accumulating in your health savings account."

Mr. CASSIDY. If the gentleman will yield.

Mr. FLEMING. Sure.

Mr. CASSIDY. By connecting her with costs, if you will, you are incentivizing a healthy lifestyle.

Mr. FLEMING. Basically, you're absolutely right, Dr. CASSIDY. What we are really doing is saving her money and saving her life because there is no question there is direct correlation, an inverse correlation, between the use of tobacco and health. By the same context, if you stop smoking, then life span increases.

So we found in very real terms that it saved premium costs—both to the employer and to the patient—by instilling the health savings account and attaching behavior with costs. And even today, we received notice on our most recent new policy for the coming year. The increase was 3½ percent, which is really amazing when it comes to health insurance policies.

Mr. CASSIDY. If the gentleman will yield.

You said that all of your employees in your group are on health savings accounts now?

Mr. FLEMING. Yes.

Mr. CASSIDY. We sometimes hear that health savings accounts are only for the wealthy, yet you've heard me quote that study that found that 27

percent of people with HSAs and catastrophic policies were previously uninsured.

And so as I know—and I'll yield back now—your business is a service business so I assume that people are of moderate income, and yet this is the policy that they have all chosen. So unless you tell me that all of these folks are wealthy, I will assume indeed this is something that works for middle America.

Mr. FLEMING. This is a fast food business. It's a steep pyramid which means you have a wide base of entry-level employees and then middle management and then just a few high-income folks. Remember, the employer is putting the money into the health savings account. That doesn't mean that the patient or employee can't also put some money in, but the lion's share was put in by us. And now after 6 years or so, those who have taken good care of their health and not wasted the health care dollars now have saved as much as \$15- to \$20,000 in their family health savings account which is triple, if not quadruple, what the deductible is on their health policy.

Mr. CASSIDY. So what you've told me is that families have been incentivized to be wise with their health care dollars, and at the end of every year, instead of losing that dollar, it rolls over and it accumulates. Now they put that much less money for the following year. For those particular families, their cost of insurance, if you will, is decreasing annually, I would assume.

Mr. FLEMING. Of course the premiums stay even. But what happens is the cash accumulates and it accumulates to the point where there is essentially no deductible, no copayment. Whatever health care needs you have, there is always plenty of money in the bank.

What's also interesting is for whatever reason you get out of that plan and went to something else—let's say you hit 65, you went to Medicare; let's say you just decided you didn't want to have insurance anymore, whatever reason—you still keep that money. It is still there for you for health care needs. And you can use it indefinitely no matter what other health plan you might be on.

Mr. CASSIDY. If I can contrast your patient-centered approach where you put the patient responsible, the person most responsible—the patient, your employee—in charge of the dollars she would spend for her health care and in so doing she responded in rational economic way. She didn't want to spend money on inhalers so she stopped smoking, so therefore she stopped needing inhalers and the whole system saved money.

Contrast that with the bill that we passed a week ago in which now there is going to be a tax on health savings accounts.

So the example I gave, if I may continue, is where the patient asked for an

over-the-counter generic instead of the prescription medicine knowing that the one was as good as the other, and one costs \$20, one cost \$39, and yet now by the bill that was passed by our colleagues on the Democratic side of the aisle, we are now going to tax the purchase of over-the-counter medicines when that purchase is made with a health savings account. It seems like we're going backwards in terms of incentivizing people to use less costly drugs.

I yield to the gentleman.

Mr. FLEMING. Congressman CASSIDY, I have looked at this for many years in terms of being a family physician figuring out how to get the best cost care to a patient delivered—and I am sure you have in your specialist role—but also as a business. And I have concluded over the years there are only two ways to control costs in a health care system: either you do as we just discussed, you have the doctor and the patient have a stake in the cost controls for themselves or at least particularly for the patient, in which case as a dividend; you have cost savings throughout the system; or you create a giant, highly bureaucratic system that engineers, micromanages life behaviors from top to bottom in which there is no connection between a patient and his or her behavior—or cost, for that matter—and for that system to be effective—because we see an exponential growth in consumer purchase behavior—and the infinite desire for value coming out of the system, whoever is putting the money in it, we as consumers always want to get as much out of a system as we can, especially when we are not putting anything into it.

When you have that scenario, then it puts an intense demand on the controlling entity which in this case is the Federal Government. It puts an intense pressure and burden to figure out ways of controlling costs, and there is only one way at that point to do it: that is long lines and rationing. That is the only way any system of that size has been able to control costs.

Mr. CASSIDY. Now, on the other hand—let's be fair to this bill—it does attempt to pay for its exploding costs.

Before you walked in, I mentioned the Centers for Medicare and Medicaid Services found that the bill that was passed—although 39 Democrats joined Republicans in opposing it, it still passed on basically a party-line vote—that because of that bill, health care spending will increase to 21.3 percent of our GDP compared to current law; 20.8 percent would be under current law. And bending the cost curve the wrong way, if you will, or bending the cost curve up, we are yanking on that thing. But on the other hand, they do attempt to pay for it.

If the gentleman will allow me to go forward. They are creating \$730 billion in tax hikes. Some people have called this a tax bill disguised as a health care bill: \$460 billion tax on small businesses and high earners; \$135 billion

employer-mandate tax; \$33 billion individual mandate tax. You mentioned how you are a small businessman as well as a physician.

I am going to yield to you and ask you if you can comment on how these taxes would affect you as a small business person.

Mr. FLEMING. It would have a tremendous negative impact. First of all, if for whatever reason—let me back up a second.

This health care bill provides that whether it is a public option, a government-run insurance, or whether it's a private insurance plan, they all have to go through an exchange and meet certain minimum requirements and certifications. Every constituency out there is going to be knocking on our doors in Washington wanting their aroma therapies, their massage therapies, and everything else which is going to make the minimum requirements go up and, therefore, the cost.

I, as a small business owner, when I am having to decide about purchasing these required minimums and mandates, at some point I may say I can't afford it, in which case I will have to opt out of the health care plan but I will still have to pay an 8 percent of payroll tax or up to 8 percent payroll tax.

So even not covering my employees will lead to higher costs. And as soon as my costs go up, my profits go down, my ability to sustain business will fade, and the first thing I will have to do is lay people off or certainly not hire people.

Mr. CASSIDY. So lay people off. It is projected, I see, using the methodology of the White House Council on Economic Advisors, that the tax hike, \$730 billion in tax hikes to address this cost—which, by the way, inadequately addresses it—would kill 5.5 million American jobs.

Mr. FLEMING. If the gentleman would yield for one other point on that.

The taxes on the business doesn't stop there. With the Bush tax cuts expiring very soon, the marginal tax rates will go up from 35 to 39 percent and then this bill provides for another excise tax of over 5 percent. So marginal tax rates on small business owners will increase from 35 percent to 45 percent plus the 8 percent that we talked about, taxes that will occur on payroll even if the employer does not have or are able to purchase health care insurance.

So just an explosion of costs without any return on investment. And therefore, the business owner, in order to remain competitive, will have to reduce his workforce.

Mr. CASSIDY. So there's mandates on businesses and individuals, there is a loss of freedom; there's \$730 billion in new taxes, and there's 5.5 million American jobs lost.

Mr. FLEMING. Yes.

Mr. CASSIDY. That is a trifecta of disaster.

Mr. FLEMING. Absolutely.

Mr. CASSIDY. I see we've been joined by Congressman SCALISE. I will yield to the gentleman from Louisiana.

Before doing so, I'll say we have been discussing costs; how the Washington Post, New York Times, the Chinese Government, Centers for Medicare & Medicaid Services have all expressed doubts that this bill will control costs. And frankly in fairness there were 39 Democrats that voted against this bill. Some of them also expressed concerns regarding this cost.

I'd like to yield to you for your thoughts, please.

Mr. SCALISE. I want to thank my colleague from Baton Rouge—in fact, both doctors from Louisiana who have exhibited so much leadership on this broader issue of health care reform. But I think, as you've pointed out, what so many Americans are finding out now as they are looking at more and more of the details of that 1,990-page bill that we opposed but unfortunately passed the House a week and a half ago, is they're realizing not only all of the taxes, as you pointed out, over \$700 billion new taxes that would cripple small businesses and families, the \$500 billion in cuts to Medicare that our seniors know will lead ultimately to rationing of health care and other devastating consequences.

When this whole debate started, it was about lowering costs of health care. Now they're realizing that Speaker PELOSI's 1,990-page government takeover of health care will actually lead to increased cost for health care, which is the ultimate irony and really the ultimate kick in the teeth to the American people who want—as we want—real health care reform to lower cost.

In fact, the alternative bill that we presented here on the House floor where we had a record vote here on the House floor that same day that Speaker PELOSI's bill passed, our bill actually would have reduced health care cost by 10 percent scored by the Congressional Budget Office, would have had no absolutely no tax increases, no cuts to Medicare; but on the other side, we're seeing more and more now how many costs are now increasing. In fact, we just saw a report come out earlier this week that showed that prescription drug prices have increased this year by 10 percent because some of these drug companies that supposedly are going to help out with lowering costs, what they did was they jacked up their costs 10 percent this year to accommodate for the increased cost down the road by Speaker PELOSI's government takeover.

So not only are all of our families across this country that have health care that they like, realizing that the bill will actually take away, potentially, their health care, it will also lead to higher health care costs overall and even higher prescription drug costs. So it is really a double whammy for American families who were expecting something completely different

from this Democratically controlled Congress.

Unfortunately what they're seeing is a 1,990-page government takeover of health care that raises taxes, cuts Medicare, and they'll increase costs for health care, which is just the opposite of what Americans were promised.

So it is a very big disappointment as more details come out. Hopefully, we can stop this from actually becoming law so that we can do real health care reform to address pre-existing conditions, to bring in more competition so families can buy across State lines, have true competition, have portability to take their health care with them, and have medical liability reform which we actually put in our bill which would have reduced costs saving American families millions and millions of dollars every year.

□ 1630

Mr. CASSIDY. There are a couple of ironies here. One irony is that we were told we had to do this to control costs, yet we see it does not do enough to control costs. The GDP amount going to health care will be more under this bill.

The other irony, we were told we had to do this to preserve jobs, yet it is estimated that we will lose 5.5 million jobs related to the \$730 billion in taxes in this bill.

Mr. SCALISE. On that issue of jobs, we are seeing more and more on the stimulus bill, the so-called stimulus bill that we also opposed, a bill that added another \$787 billion to our national debt, was completely financed on the backs of our children and grandchildren. I noticed and I am sure my colleagues from Louisiana will be happy to find out, when you go to the White House's Web site, Louisiana has 15 different congressional districts and they talk about the jobs that were created by the stimulus bill in Louisiana's Eighth Congressional District, and the only problem, and you are laughing and it is almost comical, while they talk about on the White House's Web site all of the jobs created by the stimulus bill in Louisiana's Eighth Congressional District, Louisiana only has seven congressional districts. In fact, when we looked across other States, we were seeing the same exact thing.

So there is a whole lot of not only deception, but fraudulent numbers being reported on the White House's own Web site about jobs that were created in districts that don't even exist in this country. And it was using money that doesn't exist because it was borrowed from our children and grandchildren.

Mr. FLEMING. I want to add that apparently Puerto Rico and, I believe, Guam or Northern Mariana Islands had the 99th District, which I don't think they have but one district, but they are already up to 99th District with all of the jobs, the fake jobs, the artificial jobs that were created.

There is really, again, a two-tiered approach to increasing aspects to care.

One is to do what this bill that just passed does, and that is to say we are going to cover as many people as we can and we will worry about costs later on. Another would be to attack cost first, create a more efficient system, such as we talked about a little earlier, and then organically you are able to cover more people because there is more money to go around.

So I really am concerned that we have started off in the wrong direction here. Of course, the Senate has some kind of bill, although we haven't seen the details of it from the majority leader, but I think it still attacks this whole problem in a sort of government takeover way.

If you look at the statistics, Mr. Speaker, what you find is that the American people oppose, and it depends on which poll you look at, but either by a slim margin or by a large margin, they oppose the government takeover of health care. The American people get it. Republicans in the House and in the Senate get it, so why can't the White House and the Democrats in Congress get that government has never proven to run anything well when it comes to a business-like, cost-effective, and efficient manner. So why are we going to take over one-sixth of the economy and do just that?

Mr. CASSIDY. I think that was the message from the town hall meetings in August. In August, the people spoke. They came out in droves to say we want reform, but we want reform that doesn't concentrate power in Washington, DC, doesn't raise taxes by \$737 billion and still does not do enough to control costs, doesn't kill 5.5 million jobs. No, we want something which you and I would call patient centered, something which recognizes there is a heck of a lot of money in the system now. If we just create the economic model in which people are incentivized, as your employee was, to live a healthier lifestyle, thereby saving her and the system money, thereby saving small businesses money, we can accomplish something.

So I think the American people spoke loudly and clearly in August. The only question is will they be heard.

I will compliment my Democratic colleagues. Thirty-nine of them heard and joined with Republicans voting against this bill which sacrifices personal freedom, which increases taxes by \$737 billion, which is estimated to cost 5.5 million jobs and still does not control costs. So I think the American people are, frankly, where you and I are.

Mr. FLEMING. We covered the cost that is going to occur to small businesses and to individuals, perhaps those who opt out of insurance, having to pay 2.5 percent of their adjusted gross income or a \$250,000 fine or 5 years in prison. But what about the States? You know, the States, Mr. Speaker, cannot have legal counterfeiting of money the way we in Congress do. They can't create a currency

that doesn't exist. And all of a sudden we have a mandate by increasing Medicaid from 100 percent of poverty to 150 percent of poverty.

Mr. CASSIDY. Reclaiming my time, just for those watching who are not familiar with Medicaid, Medicaid is the program where States put up some money and the Federal Government puts up other money and it covers the poor. Right now in many States they are either having to raise taxes to cover the cost of it or cut back services to the poor. And yet what this bill does is says that you shall, the States shall increase the percent of their population that they are paying for medical services with Medicaid. The Federal Government will pay for a portion of that, but not all, and the State taxpayer has to pay the rest.

In our State, Louisiana, it is estimated that will cost \$610 million extra State dollars that will come out of roads and highways and schools. I think Schwarzenegger in California said \$6 billion for California.

Mr. FLEMING. Yes, and that money is not going to come off the backs of our children and grandchildren as it does here in Washington. That is going to come directly out of taxpayer pockets. That is going to be roads that aren't going to be built, bridges that aren't going to be built, projects that aren't going to go forward, things that would stimulate job production. That is money sucked out of the economy.

And remember, as you expand Medicaid to higher and higher income levels, you are pulling people off of private insurance where premiums are being paid by employers and the families, to some extent. You are pulling them into Medicaid which is now 100 percent government paid for. And again, we are concentrating power in the government and cost on top of the taxpayer, really a terrible combination of things in an era where we are looking at pushing above a \$12 trillion limit where our deficit spending has quadrupled within 1 year, where even the Chinese who lend us the money we live off, our credit card, if you will, have become terrified of our spending as well. I don't know where this ends, Mr. Speaker.

Mr. CASSIDY. I think people back home are concerned that in this Chamber we are too partisan. That is why I am trying to make it a point to not speak from a Republican viewpoint, but to quote The Washington Post and The New York Times, which says that this bill does not do enough to control costs. To quote the Centers for Medicare & Medicaid Services, which is a Federal agency: In aggregate, we estimate that for the calendar years 2010 through 2019, national health expenditures will increase by almost \$290 billion.

Most of the provisions in H.R. 3962 that were designed in part to reduce the rate of growth and health care costs would have relatively small savings.

Again, some of my colleagues, Democrats, said: I fear this bill will not reduce long-term costs and our debt and deficits will suffer and balloon in the years ahead.

Another Democrat colleague: My primary concerns have been that the legislation does little to bring down out-of-control health care costs, which is what burdens families and small businesses and also leads to our skyrocketing budget deficits.

The Congressional Budget Office, an independent agency, says that the cost has grown at about 8 percent per year, which more than doubles cost. If you compound 8 percent per year, when the President says the cost of doing nothing is that the cost will double, in this case the cost of doing this something, costs will more than double, according to the Congressional Budget Office.

On balance, during the decade following the 10-year period, the bill would increase Federal outlays for health care and the Federal budgetary commitment to health care relative to the current amount. That does not include the State dollars that we have been referring to.

Mr. FLEMING. What we are talking about may sound theoretical, but we actually have a model by which, on a much more microscopic level—we actually have many, but one that I think is the best is Medicare itself. Medicare is a government-run health care program. Those who are served by it like it, but there is a good reason why they like it, because they get a lot more out of it than what they actually put into it. It is heavily subsidized in different ways. It is running out of money. I believe the estimate today is that it will be completely out of money in 8 years. The cost today, the annual cost of Medicare is exponentially greater, magnitudes greater than the estimates ever were in the past. It has always run much higher in cost than was ever predicted. And yet, we somehow think we are going to be able to take a much larger health care system controlled by a much larger governmental set of agencies, 111 new bureaucracies and mandates, and that what we couldn't do with a much smaller system that was a lot less complex, somehow we are going to miraculously do with a much bigger, more costly system. And even if it didn't, we don't have the money as it is. We are living on our future, our descendants, if you will. We are living off their dime at this point.

Mr. CASSIDY. We have spoken about the irony, about how the bill we have to pass in order to control costs is more expensive than status quo. We spoke about the irony about the bill we had to pass to rescue jobs will cost 5.5 million American jobs.

There is another irony here. Medicare, a great program but going bankrupt in 7 years, according to the folks that run it; Medicaid, another Federal program which is bankrupting States, is now going to be rescued by a third public program which is based upon the

one and expands the other. So two going bankrupt or bankrupting will be saved by a third which builds upon those first two.

To go back to Scripture, you are building a house upon a foundation of sand. In this case, it is a fiscal foundation of sand which should concern us, as it concerns newspapers like the Post and the Times which wonder if it does enough to control costs.

Mr. FLEMING. It is clear that all of these things—Medicare that exists today, running out of money; Social Security that exists today, running out of money; Medicaid already out of money and bankrupting States; jobs, killing jobs, and jobs are what keep our current health plans in place; \$13 trillion in debt and rising—many, many dollars spent right here in this House that we have absolutely no way of paying for, and we see a confluence of events here, costs that are coming rapidly together that very quickly just the interest alone will begin to squeeze out all of the other services that we look to government to help us with, like common defense.

What are we going to do when we don't have the money to protect our country both internally and externally? What are we going to do when we don't have money for some of the programs that we use as kind of a safety net for Americans today who don't make enough to live off of, or used to be employed but became unemployed because of our spending? What are we going to do? We have to change direction.

I just spoke at a TEA party this weekend, and people are absolutely—they are past angry. They are actually terrified at this point.

You mentioned, Dr. CASSIDY, this summer, all of the town halls, and of course TEA parties have sprung up during that period of time. I think we have to look at that as sort of the canary in the mine shaft. That is the early warning sign that the citizenry out there is fed up with the irresponsible spending that we are doing here. It is time we begin to look at reinstating individual choice and individual freedom rather than the government controlling and micromanaging our individual lives and taking our own money away from us to give back to us in order to control us.

Mr. CASSIDY. I think the point just hit upon, we all want reform and we know the goals of reform are to control cost and to expand access to quality care.

Now, there are some who think that to do that you have to sacrifice freedoms, you have to raise taxes, kill jobs and still not control costs.

□ 1645

But you and I know from our practice and our life experience that you can do it differently. You can actually increase freedom by giving that person the ability to control her account that she can use to spend or not spend, to

seek value. In so doing, you lower the administrative costs. You kind of cut the insurance company out of the deal because now she has her own account, and she doesn't have to submit a payment claim. She just pays for it with a debit card.

You can control costs in a patient-centered way, one that incentivizes a healthy lifestyle. And in so doing, the patient becomes healthier; and by becoming healthier, you control costs, not by 111 different bureaucracies, boards, and commissions. It stays with conservative values of individual responsibility, limited government, and free enterprise. It actually works in this segment of our economy as it does in every other segment.

I yield.

Mr. FLEMING. I thank the gentleman. I absolutely agree. And, again, it looks like, from what you've presented today, The New York Times, The Washington Post, and I read today from Reuters, and CMS just came out—all of these groups, very nonpartisan in many cases, and certainly no one can say that The New York Times is a Republican or even conservative publication—all of these groups, these publications, these boards, editors are coming out with great anxiety over the cost of this.

And you might say, well, why are they complaining after the fact? Well, remember that we debated for weeks on H.R. 3200, but we only had 1 day really to vote on H.R. 3962, which really doubled in size and doubled the number of bureaucracies virtually overnight. And I think now that all the celebration is over in the House, we may have a little hangover going forward.

Mr. CASSIDY. I think that people are waking up. Again, if we're going to achieve our goals of reform for all, health care accessible and at affordable costs, you can't have it with a program which drives up costs and drives up costs despite the high taxes and the loss of jobs. So we're not through yet. The American people still have time to weigh in on this, to weigh in as the bill goes through the Senate side and then comes back to conference.

But what I challenge the American people to do is to do as they did in August, to contact those Representatives that voted for this bill and express their concern regarding the cost, the taxes, the loss of jobs, but also to contact their Senators and to say that they want reform, but they want reform that doesn't kill jobs, raise taxes, or deprive us of personal freedom. I think in that way we can have a bill which serves the American people without sacrificing our values.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2781, MOLALLA RIVER WILD AND SCENIC RIVERS ACT

Mr. ARCURI, from the Committee on Rules (during the Special Order of Mr.

CASSIDY), submitted a privileged report (Rept. No. 111-339) on the resolution (H. Res. 908) providing for consideration of the bill (H.R. 2781) to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in Oregon, as components of the National Wild and Scenic Rivers System, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3791, FIRE GRANTS REAUTHORIZATION ACT OF 2009

Mr. ARCURI, from the Committee on Rules (during the Special Order of Mr. CASSIDY), submitted a privileged report (Rept. No. 111-340) on the resolution (H. Res. 909) providing for consideration of the bill (H.R. 3791) to amend sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974, and for other purposes, which was referred to the House Calendar and ordered to be printed.

HEALTH CARE REFORM

The SPEAKER pro tempore (Mr. MCMAHON). Under the Speaker's announced policy of January 6, 2009, the gentleman from Ohio (Mr. RYAN) is recognized for 60 minutes as the designee of the majority leader.

Mr. RYAN of Ohio. Mr. Speaker, I appreciate the opportunity to try to clear the record here a bit and talk a little bit about our health care reform proposal that passed the House of Representatives a little more than a week ago and talk about the benefits to the American people.

I would like to respond to a couple of the concerns that were made by the other side over the course of the last hour. It's very interesting to me because I was here over the last 7 years and was here during the last part of the Bush administration. I was here 2002, 2003, 2004, 2005, 2006, 2007, 2008 and watched as our friends on the Republican side cut taxes for the top 1 percent, the wealthiest 1 percent of Americans, continued to spend money with a reckless disregard for the national debt, for deficits, started two wars, borrowed the money from China to pay for the wars, borrowed money from China to compensate for tax cuts that went to the top 1 percent of the wealthiest Americans. And here we are a couple of years later, and our friends on the other side are concerned about the deficit and the debt.

It was President Bush's appointees to the SEC that gave a blind eye to what was happening on Wall Street. Wall Street collapses, and the \$780 billion and \$800 billion that we had to spend to stabilize the economy was under President Bush's watch. It wasn't under President Obama's watch. We've spent the last 9 months cleaning up the mess that was made over the last 8 years.

Now, this is not to assess blame. We're all in this boat together. We're

all in this together. I recognize that. But you can't cause all these problems, because the Republicans controlled the House, Republicans controlled the Senate, Republicans controlled the White House, Republicans controlled the Supreme Court. They pulled every lever of government, ran up the deficit, ran up the debt, started two wars, blowing money left and right, giving tax cuts to the wealthiest, and then we wonder why we ended up where we are today. No regulation of Wall Street. The economy collapses. Tax revenues go down.

Now, I'm not saying that what we have done over the last 8 or 9 months has been to wave some magic wand and all of these problems have gone away. I represent northeast Ohio. Our unemployment rate is at 15 percent in some of our cities. But we can say very objectively that the money that was spent going to Wall Street, the stimulus package has at least stepped us away from the cliff that we were on—and we were on a cliff ready to fall off as a country—as an economy we have been able to stabilize that.

Now, I'm not happy with what the banks are doing. I don't think anybody is. I think it's important to move more money back to community banks and let's stimulate lending at the local level. That's how we're going to re-charge and revive our economy. And that would be the direction that ultimately we need to go in.

But you certainly can see that we were losing jobs at 700,000 a month and now we're still losing jobs, still too many; but it's at 200,000-plus a month. So we're at least trending in the right direction.

But I've got to tell you, Mr. Speaker, I get a real kick out of these fellows on the other side who caused all of these problems and then now complain how we're trying to fix them.

And make no mistake: this discussion about health care, as our friends earlier were talking about, their assumption and presumption was that the health care system is working just fine. It's not costing us a lot of money, not really hurting many people, everyone has access, no rationing today, all of which is not true.

We have health care growing at a 9 percent clip. We have the GDP growing at a 3 percent clip. You continue to do the math, and you'll find out that in 10 years, \$1 of every \$5 in our economy will be spent on health care. You will find out that if you take that out another couple of decades, 30 years, \$1 in every \$3 will be spent on health care. That is unsustainable. Unsustainable. And to think if we do nothing, which is basically what the Republican proposal was, to just keep kind of doing what we're doing, it doesn't cover more people, doesn't take care of a lot of the human rights issues that were involved here—if we continue doing what we're doing, the average family in America will pay another \$1,800 a year in health care next year and then another \$1,800 the following year and another \$2,000

the following year. And we will continue down a road where this continues to eat up the whole family budget.

I have a member of my staff who has an Aetna 7-D health care plan. In 2007 his copay was \$237 a month. In 2008 it went up 22 percent. In 2009 it went up 9.7 percent. And in 2010 it went up 80 percent. Now, this is a Federal employee; and this is happening all throughout our economy, all throughout our country. So from 2007 to 2010, a 142 percent increase for Gene Crockett from Niles, Ohio.

Now, our friends on the other side: just keep doing what we're doing, things are okay, things are fine, we'll get to it.

This is change. And this is obviously a difficult process, but we are moving forward, and it passed the House in a historic vote here a couple of weeks ago, and we will continue moving in that direction so that the Gene Crocketts of the world and the average people around the country who see this eating up more and more of their budget will get some relief.

I was amazed over the last week I was home when I'd be at a restaurant and people, real quiet, would kind of look at me and say, Thanks for your vote on health care, Congressman. You know, real quiet. And that's how this debate has been in this country. And the polls are bearing it out. The AARP poll that just came out showed significant support for this. Another poll I was just looking at a little bit earlier, significant support for some of these provisions, because we take care of the bread-and-butter issues of the health care situation we have in this country.

If you're a kid or you're 27 years old or younger, if this reform passes, if some of these provisions in the House version stay in, if you're 27 years old or under, you can stay on your parents' insurance. If you have ever been denied insurance coverage because you have some preexisting condition, this reform will end that practice. That will no longer happen to anyone in the United States of America ever again. And our friends on the other side voted against it.

I was getting my hair cut last week and was talking to the owner of the hair salon, and she said, you know, you need to pass this health care reform. We need help. I heard the story about her daughter who just started working with her and the daughter had asthma growing up, went to get insurance, and she had to sign basically an agreement with the insurance company saying that if she goes to the hospital because of asthma that the insurance company will not pay for that hospital visit. So the girl has asthma. She's paying a lot of money a month, hundreds and hundreds and hundreds of dollars a month, to get insurance. And the one thing that she is probably going to need her insurance for the insurance won't cover.

Now, does that make any sense, to continue with a system that takes your

money but will not cover you? That doesn't sound very fair. And that process, that provision, that practice will be eliminated. Done. No more. My friends on the other side voted against that.

Also in the House version, the 27 years old and the preexisting condition provisions happen as the bill is passed; so that will start immediately. The exchange and some other things start in 2013, but those two provisions start immediately. So the American people will see the benefits of that rather quickly.

Another provision in this bill says that there will be limits to the amount of money a person or family can spend a year. In the House bill it was about 12 percent of your income, which is still a lot. So if you make \$50,000 or \$60,000 a year, if you have a health care catastrophe in your family, after you pay \$5,000 or \$6,000 out of pocket in health care, you're done paying for the rest of that year. So families in America will no longer go bankrupt because they have a health care catastrophe in their family.

□ 1700

Now, if that is not a human rights issue, I don't know what a human rights issue is. And that is exactly what this bill does. So, no matter what, families in this country will not go bankrupt because of health care situations in their family.

And if you look at my district alone, 17th Congressional District, it stretches from Akron through Kent, Ravenna in Portage County, Warren and Niles in Trumbull County, and Youngstown, Ohio, in Mahoning County, the old Steel Belt. Just last year, in my district, 1,700 families went bankrupt because of health care, 1,700 families. And what this provision will do is eliminate that. That will no longer happen as it happens here today in the United States of America.

So, our friends on the other side are three for three now. They voted against extending insurance to kids or allowing kids to stay on their parents' insurance until they are 27 years old, they voted against that. We said that you can no longer be denied coverage because of a preexisting condition, diabetes, cancer, heart disease, asthma. We put an end to that practice. Republicans on the other side, except for one courageous soldier down in Louisiana, all voted against it. And those two provisions will start immediately upon this bill's going into effect. The limiting of 12 percent of your income that could be paid out of pocket per year on health care expenses, so that we don't have people go bankrupt, passed in the health care reform. Every Republican, save one courageous soldier down in Louisiana, voted against it.

Our friends on the other side were talking about small business, small businesses being affected by this. Eighty-six percent of small businesses will be exempted from this legislation. But they will be able to go in to the

health insurance exchange and all of a sudden have a lot more bargaining power than they had before, because they would call their health care folks up and say, what do you got? What's the package? How many employees do you have? Ten, 15, 20. An average increase, or the increase over the last 6 or 7 years, has been about 120 percent increase for small businesses. This allows these small businesses, Mr. MURPHY, to go into the exchange, to pool their numbers, to get better negotiating power, more negotiating power and better rates, because of their ability to pool with each other. And that will reduce health care costs for small businesses.

At the end of the day, it's going to be the small business folks who will see this health care reform as a real step into trying to help them control health care costs so they can reinvest back into their company.

I yield to the gentleman from Connecticut.

Mr. MURPHY of Connecticut. Thank you, Mr. RYAN. I thank you for convening us down here again. And I think you're right to focus on the issue of small businesses because that is where the problem has laid for a very long time. Small business men and women with a couple of employees, maybe 10, 15, 20 employees, they want to do the right thing. They want to provide insurance for their employees, but with the kind of margins that they face normally, and in particular with the kind of margins they are facing in this tough economy, combined with their inability to access capital from the lenders in their community who might be providing them with loans, means they don't have the room to provide health care.

In my district, it prompted one individual, a brave small businessman named Kevin Galvin who had had his own experience with confronting our very backwards health care system when his daughter got very sick, and it forced that family to go through layers of bureaucracy and layers of appeals to try to get their own insurance company to cover her. He runs a small business in Connecticut, a maintenance company that employs a handful of people. And their margins are so small that he can't afford to provide insurance for his employees. Now he has gone through it, the tragedy of trying to cobble together the money and the insurance claims in order to pay for the care of a sick loved one. And so, it has ripped him apart that he can't provide insurance for his employees.

So he decided to go out and do something about it. He decided to go out in Connecticut and organize small businesses around the State for health care reform. And his group, Small Businesses for Health Care Reform, centered in Connecticut, has thousands, thousands of members amongst the Connecticut small-business community, all rallied around our effort to provide relief for those small employ-

ers that desperately want to get health care for their employees but they can't.

They can't in part because of the margins that they have. They can't also because they, on average, as you pointed out, Mr. RYAN, are paying about 15 to 20 percent more in premiums than large businesses are. It is just a matter of simple economics. If you're bargaining with the insurance companies on premiums for only a handful of employees, you're just going to get a worse deal and have to pay a higher price than you will if you're a big business that has a couple hundred employees.

And so he and his group see the genius in what we are trying to do here, which is to not erase the private market, not substitute our current health care system with some other country's health care system, not engage in what the cable news talk show hosts claim is a government takeover, but simply to make the existing market work better, to allow Kevin Galvin and his handful of employees to join together with all of those other small businesses who are in the same position with all of those other uninsured individuals and sole proprietors who are negotiating on behalf of only themselves, to put them all in a pool and to allow them to negotiate for lower premiums against the insurance companies with the kind of bulk purchasing power that we know works.

So we have small businesses throughout Connecticut that are standing up and screaming for health care reform because they want to provide health care for their employees. And those that already are are being crushed by the weight of those premiums. So when they look at this bill, when they see the health care exchange pooling all of their purchasing power together, when they see the tax credits in the bill, that in my district alone, Mr. RYAN, are going to mean that 17,000 small businesses will now pay lower taxes because they are going to be able to offset their health care expenses against their tax obligation, they see a tremendous benefit.

And if we want to point the way forward on the economic revitalization of this country, if we want to start to plot a real strategy about how we grow jobs, jobs in this country, small businesses are the solution. And picking up off of their shoulders the crushing weight of health care costs is one of the most effective strategies in allowing them to start growing jobs again, Mr. RYAN.

Mr. RYAN of Ohio. I appreciate that. The gentleman makes the point that what this is all about is jobs. This is an economic development bill. This is about allowing these businesses to reinvest back into their small businesses. It is not a coincidence that as health care is eating up more and more of the businesses' budget, that wages have been stagnant over the last decade or two because the small business owner does not have the ability to both eat

the increases in health care and give the requisite amount of pay increases to the workers. It's either or.

So over the last decade, it has been all health care, all the time. And sometimes they have passed on a smaller portion of that on to their employees where they are asking for more of a co-pay, higher premiums and the whole nine yards. But now, what we are saying is if we can get these costs under control, those small businesses can reinvest back into technology, back into the new machines, back into the wages, back into the training, back into more benefits and other kinds of benefits, maybe retirement benefits, for their workers instead of being stuck in this cycle of health care, health care, health care, health care and no reinvestment back into the business.

Mr. MURPHY of Connecticut. Mr. RYAN, in Connecticut alone, our largest insurer, which insures over half the individuals in the State, announced earlier this year that they were going to be passing down a 30 percent premium increase to small businesses, small group plans and individuals—30 percent. It's beyond me to figure out how on Earth health care costs changed so much from last year to this year that you can justify a 30 percent increase, but from a small business standpoint, that causes thousands of small businesses to walk away and say, that's too much.

My business in a recession is dropping, and you're asking me to pay 30 percent for one of my biggest line items? It causes individuals who were just being able to cobble together the money that they could to pay for insurance to walk away and say, listen, I have had my wages held flat this year. I can't go out and pay a 30 percent increase.

And it causes our Republican friends to shutter their ears and close their eyes and pretend that all of those people and all of these employees who lose their health care because of the 30 percent increase are going to suddenly spend the rest of the year really, really super healthy and never need to get health care. They are going to get sick. Those employees are going to get sick. Those individuals who had to walk away from care because the premium increase was too high are going to get sick. And they are going to get so sick that they are going to end up in our emergency rooms. And then we are all going to pay for it. We are going to pay for it in higher taxes to subsidize emergency room care. We are going to pay for it in higher private premiums to make up for the uninsured that walk into the doors of those hospitals. And we are going to end up perpetuating our current system of sick care where we force people to go without insurance, wait until they are so sick that they show up at the emergency room for the most expensive, and frankly, most inhumane type of care, crisis care, which costs us all a lot more money in the long run, Mr. RYAN.

Mr. RYAN of Ohio. Yes. And it has all been fear-based. One of our colleagues on the other side said the tea baggers are beyond, they're beyond scared; they're terrified now. They are terrified because of the budget. Where were these people when President Bush and the Republican Congress and House and Senate were cutting taxes for millionaires and starting two wars and spending money left and right and running up the deficit? And now they're terrified because we're saying we want to help small businesses, we want to help citizens in the United States be able to afford health care?

We're taking on the insurance industry, Mr. Speaker. What is so difficult about this to understand? They have been ruling the roost in the country for how long? And we're stepping in after an election in 2006 where the American people were fed up, an election in 2008 where President Obama won, and basically, a huge election, and he talked as a centerpiece of his campaign about health care reform. And here we are.

I'm sure our districts aren't that much different, manufacturing, a lot of immigrants came over the last 100, 150 years to our States, and a lot of middle class people, and our people don't get on a bullhorn and scream about their problems that they have in their family. They have a lot of pride, but they just want to muscle through it. But they want an element of fairness in the system. And so they will, as I said, and I don't know if you were here or not, they will grab me at the restaurant and thank me for my vote and say, I hope it passes, or I hope it pulls through.

But they are not going to call Rush Limbaugh and call in and talk about how their daughter is sick and the problems they had and go on and on. But when I stood at the Canfield Fair or, this weekend, going into a restaurant or getting my hair cut, whatever the situation was, they would grab me and they would quietly say, thank you. God, is this going to pass? Is this really going to happen? That's what average people are saying here today.

These situations that go on all across our country, and to turn a blind eye to it, and the Republican proposal doesn't even cover everybody. It was like, here is our proposal. Great. You cover another million people. Boy, that is really going to bring down the pressure on the emergency rooms.

And this is pretty simple. I talked about the reforms. If you make \$89,000 a year or less, you are going to get credits, subsidies, to help you pay for your insurance so that family will have more money to spend in other parts of the economy. Instead of health care eating a huge chunk of the economy up, they will have money to pay for their kids' college education, to make investments to buy a new car, to keep the auto industry going, buy a new refrigerator, buy a new house.

Literally, if you think about just an \$1,800 increase next year in health care

bills, if we get health care costs under control, imagine the amount of money these families and small businesses are going to have to spend in buying durable industrial goods.

Mr. MURPHY of Connecticut. This is not my line; I think others have said this, but this is a consumer takeover of the health care system. That is what this is. This is putting consumers and patients and regular, average, ordinary Americans back in charge. And people were angry about a lot of things when President Bush was in charge and the Republicans controlled the House and Senate. They were angry that it seemed like the oil companies were running our energy policy. They were angry that the banks seemed to get whatever they wanted when it came to financial policy. And they were angry that the insurance companies and drug companies seemed to get everything they wanted when it came to health care policy.

And they had a pretty good examples, Mr. RYAN, why that happened. I will add to your list of all of the deficit increases over the course of the Republican control of this Congress. Medicare part D, the one time that this House of Representatives woke up and decided to legislate on health care, they did it in a way that guaranteed enormous profits for the insurance and drug industry, in particular by inserting a provision into the Medicare part D law that specifically prohibited the Federal Government from negotiating deep discounts on behalf of all Medicare beneficiaries against the drug companies. And they paid for it all by borrowing.

So this sudden conversion to fiscal responsibility by the Republicans is pretty transparent to people that have been caring about health care for long enough to remember when Republicans came here, proposed and passed a Medicare drug benefit that was written by the drug and insurance industry and paid for by borrowing.

□ 1715

So for all of those TEA baggers out there and all of those non-TEA partiers who are concerned about the deficits, this health care bill isn't just deficit neutral; it brings down the deficit by \$30 billion over the course of 10 years. You can argue about the policy, but you can't argue with the CBO score. The Congressional Budget Office says that this bill, over the course of 10 years, will bring down the deficit, and actually tells us that in the second 10 years will bring down the deficit by even more, standing in contrast to the Republicans' sole effort at health care reform when they controlled this place, which handed more power to the industries that were running the joint to begin with, and did it all by borrowing.

So, Mr. RYAN, it's the war, it's the tax cuts, but it's also the Republicans' policy on health care. And I don't have a lot of sympathy for our Republican friends who come down here and talk

to us about the health care implications for the deficit. Our bill lowers the deficit. Their one attempt at health care reform massively increased the deficit.

Mr. RYAN of Ohio. It's not just CHRIS MURPHY from Connecticut or me or NANCY PELOSI. Here's from the Business Roundtable. CEOs of the Nation's largest businesses released a report on the impact of health care legislation moving through Congress and that, "Key components of health care reform could slow the growth of health care costs and offer real savings for companies and their employees."

According to the Business Roundtable Hewitt study, many of the legislative reforms currently in the health reform bill could reduce costs by as much as \$3,000 per employee by 2019. This is the Business Roundtable. This is not the Democrats. This is the CEOs of the Nation's largest businesses.

As you said, CBO, Business Roundtable, this is what we're trying to fix. And when you have the CEOs of the Nation's largest businesses saying that this reform will save us \$3,000 per employee by 2019, and you have hundreds and hundreds and hundreds, if not thousands of employees, that money is going to go to wages, investments, technology. On and on and on these investments will be made, not sit around and do nothing.

Republicans just came—in the last week, finally, they had a proposal. We've been debating about health care for all this time and they were in control of every major branch of government from 2000 to 2006. Didn't do anything about health care. Now we're coming to try to fix it.

Mr. KING of Iowa. Will the gentleman yield?

Mr. RYAN of Ohio. I'd be happy to yield.

Mr. KING of Iowa. I thank the gentleman from Ohio.

I just recall that we were here together when we passed the litigation lawsuit abuse reform out of the House and it got stalled up in the Senate. That would be one thing I would point out that I think is important from an objective standpoint.

Mr. RYAN of Ohio. Reclaiming my time, litigation has been projected to have only 1 percent effect on the costs of overall health care spending.

Mr. KING of Iowa. If the gentleman would yield, \$54 billion was the score on the bill introduced this year.

Mr. RYAN of Ohio. Over 10 years.

Mr. KING of Iowa. Yes.

Mr. RYAN of Ohio. One percent of cost. And there is no real way to quantify—reclaiming my time—no real way to quantify this number. But when you're talking about billions and billions and billions of dollars, again, that's to my point, is that the Republican plan is to just kind of nibble around the edges and maybe we'll try to do this a little bit here and a little bit there, but at the end of the day here's the reality.

Since we have gotten in office and with President Obama, but before that, we took on the banks and yanked them out of the student loan business because they had a sweetheart deal. As you said, with Medicare part D, where all of this money is going to the pharmaceutical companies, we are reforming that provision as well. Now we're taking on the insurance companies.

With the energy bill, we took on the oil companies, where they're getting subsidies. And just a couple of years ago we spent \$115 or \$120 billion dollars in escorting ExxonMobil ships in and out of the Middle East so that they would be safe to further supplement and subsidize the oil industry. We took on the oil industry.

Increased minimum wage, increased Pell Grants. We made steps to make investments. But the bottom line is this health care reform bill is about economic development in the United States of America.

Mr. MURPHY of Connecticut. And people have been crying out for it, Mr. RYAN, and I think that's why you and I both have families coming up to us and, as you said, kind of quietly expressing to us their stories. Folks in my district do it the same way. But you find them. You hear from them.

I remember knocking on somebody's door this summer as I was going around a couple of neighborhoods to check in and hearing a guy talk about his illness. He had actually, I think, been injured, and his worker's comp didn't pay for the entirety of the care that he needed, so he had to go to his primary insurer. He had to pay for some of it out of his own pocket.

It got so bad and his expenses got so high that the only place he could go without losing his house was the one main savings account he did own, and that was his child's college fund. And so he planned at first to only take a little bit out from his child's college fund because he figured he could get his insurer to pitch in a little bit, figured the economy might turn, he might be able to get a little better job, and then he had to go back again. And he had to go back again. By the time I saw him this summer, that college fund was gone. He had no money saved for college. The only way that his son, who by this time was in his teenage years and only a few years from going to college, the only way he was going to be able to go to college was if he got a full ride somewhere. His son's dreams have evaporated because of health care costs, because of illnesses.

Now, this particular family had that money saved away for college and so it's not one of the thousands of families that went into bankruptcy. So we should remind ourselves that when we hear all these statistics about the thousands and thousands of families who go into bankruptcy every year just because Mom got cancer, that doesn't count all the families who did the responsible thing and were able to squirrel away a little bit of money and ex-

hausted all of it, changing their plans forever. So layer on top of all of the bankruptcies the hundreds of thousands of families who were ruined without bankruptcy because of the crippling cost of medical care.

So this is being celebrated by all of these families out there who have had their lives change for so many different reasons, because they do see that they're actually going to get some wages back from their employer who doesn't have to spend every dime on health care. But they also see that this bill is going to give them some security that a lot of people thought just came with being a citizen of the most powerful, the most affluent country in the world.

You're right, Mr. RYAN. That does involve taking on the insurance industry. That does involve stepping up to the plate and telling them that they're wrong. For the life of me, it's beyond me why this Congress hasn't been able to do that. And I get that that invites the ire of the health care industry that has had their way for so long. I get that that means there's going to be a lot of commercials on the air criticizing Members who voted in favor of this and those that might vote in favor of it in the Senate. But it's been a long time coming for those families that we both know and those small businesses that have been calling for it.

Mr. RYAN of Ohio. Think about it. Just in the 17th Congressional District, 14,000 small businesses will now be better off because they're going to be negotiating with more and other small businesses to try to bring down prices. And 12,300 small businesses in my congressional district will be getting tax credits as an incentive to compensate for this; 43,000 people will now have insurance that didn't have insurance.

We have, in Youngstown, a hospital that just filed bankruptcy. Now all of a sudden every single person that walks through that door will have health insurance instead of that cost being passed on to everyone else.

I can't help but to think about the gentleman that you were just talking about who had to spend through his kid's college fund. If these reforms were in place, that person's amount of out-of-pocket expenditures would be limited to 10 or 12 percent of that family's income. So they wouldn't have had to go into the college fund. Our friends on the other side voted against that.

So we have got to go back to our constituents and defend every vote that we have made here. And that is, to me, significant. The preexisting condition, not being kicked off your insurance because you get sick, being able to stay on your parents' insurance until you're 27 years old, all of those are significant steps in the right direction, not to mention on Medicare part D by extending and having consistent drug coverage throughout the course of the entire year instead of interrupted coverage, which is happening now.

I got a letter from a doctor this summer who was telling me about a patient that he had that met her limit on part D. And I can't remember at this point exactly what the issue was with her, but they had to take her from the drug of choice to a cheaper drug because she couldn't afford it. So, in June or July when she met her cap, they had to switch prescriptions because she couldn't afford the one that he had her on. She ended up getting sick. They switched prescriptions again and again, and she ended up in the hospital for a week or two.

It's the perfect example of why would you not just—how much cheaper would it have been for the taxpayer to consistently pay for those prescriptions throughout the course of the year instead of her going into the hospital for a week or 10 days or 2 weeks and having Medicare pay for that? It just doesn't seem like a very smart investment on behalf of the taxpayer.

Mr. MURPHY of Connecticut. Listen, it's the reason, Mr. RYAN, why AARP has come out so strongly in favor of this bill, because they know that this is a good bill for seniors. Now, a lot of Democrats disagreed with the fact that AARP came out and supported the Medicare prescription drug bill when it did, but it, frankly, shows that this is a group that, when they think it's right for seniors, is going to support it whether it's a Republican or Democrat proposal. Because I've heard a lot of Republicans and conservative talk show hosts come out and say, Well, the AARP endorsement doesn't mean anything. They're friendly to Democrats. Well, they endorsed the Medicare prescription drug benefit, which was, I think, voted on almost solely by Republicans. So whether we agree or disagree with their support for that, they've played both sides of this debate.

But AARP supports this bill because it gets rid of the doughnut hole. Now it takes a little while to fully get rid of it, but on day one after this bill is passed, the size of the doughnut hole gets reduced by \$500, and for every senior that walks into the pharmacy when you're in that moment of exposure, the cost of a brand name drug is going to be cut in half. Every single brand name drug for seniors in the doughnut hole gets cut by 50 percent immediately with the passage of this bill.

When you walk in to get your check-up, no longer does any senior have to come up with money out of their pocket. Medicare is going to pay for that now, because we know it just makes sense to have no barriers to preventative health care for seniors.

So AARP, joining the American Medical Association, joining Consumer Reports, joining dozens of other specialty physician groups out there, has supported this legislation because they see the benefit for that senior that you're talking about on Medicare part D and millions more.

□ 1730

Mr. RYAN of Ohio. The idea here is that this is how this bill will extend Medicare's life an additional 5 years, in part because of cost savings and a variety of others. But we are going to have healthier people going into the Medicare program. Right now we have people that are 55, 60 years old, and we see a lot of them in our communities, the older manufacturing communities. You work until you're 55, you work until you're 60, and then all of a sudden, the company goes bankrupt or they lay you off or they move the factory to Mexico or to China or whatever the case may be.

I have met several of them, have talked to them on telephone town halls. One woman I remember in particular was 60 years old. She did not lose her job, but lost her health care coverage. The company could no longer afford it. So now she is 60. She makes \$32,000, \$35,000 a year, can't make it, can't afford health care coverage. She said, I'm going to wait until I get on Medicare. So here you have someone who is 60 years old, probably has some issues because everybody at 60 has issues. Now a physician won't manage those problems that she has. She is going to go without any care, any treatment, any kind of management whatsoever. So she is going to go into Medicare at 65 much sicker than she would have went in if she had decent health care where her problems could have been managed and not become chronic to the point where they could cost the Medicare system thousands and thousands, tens of thousands of dollars, hundreds of thousands possibly, depending on what the issue is.

So you have a healthier person going into the Medicare program that's going to extend the life of Medicare. What kind of system is this, 60 years old, you have worked your whole life, and they say, Sorry, you're on your own; we will pick you up at 65. Thanks for everything. You lost your health care. That is not right. That is not right, Mr. Speaker, and that is what this whole program is trying to fix.

Mr. MURPHY of Connecticut. I will just add one last thing, Mr. RYAN. The people we're talking about—you know, the stories that we're telling, I don't think you or I know whether these people that have approached us are Republicans or Democrats. I have no idea whether that guy who had to drain his entire college savings watches MSNBC or watches FOX News. I have no idea because health care crises, health care-caused bankruptcies strike Republicans and Democrats, liberals and conservatives, people on the left and people on the right. This is a nonpartisan, nonpolitical issue.

Maybe I was naive when I came here a couple of years ago, but I just thought that there was going to be a way with 50 million people uninsured, with health care costs rising 120 percent for the average small business in this country over the last 10 years,

with bankruptcies caused by medical costs on the rise. I just figured that there would be a way for Republicans and Democrats to get together on this to say, Let's do something. I think for the longest time, I believed that there was still going to be a chance for Republicans to come to the table here. I don't want to believe that the Republicans' opposition to this bill is just about political gain. I don't want to believe that the reason that Members come down here and oppose every single thing the Democrats want to do and then propose an alternative bill that was a joke—which actually left more people uninsured at the end of its life than had the bill not gone into effect—I just don't want to believe that, but there is mounting evidence of that case.

So listen, this thing is not over, Mr. RYAN. We're going to continue to come down here and press the case for reform. We're going to continue to come down here and press the need for both parties to be part of this compromise, to be part of this solution. But it is increasingly apparent that there is only one piece of this House and one piece of the Senate that is really pushing to get this done for the American people. I wish that wasn't the case, and we'll continue to try to press for a change, Mr. RYAN.

Mr. RYAN of Ohio. The bottom line is this, the Business Roundtable, the top CEOs in the United States, say that our provisions in this bill will save them as much as \$3,000 per employee by 2019. The top CEOs in our country are saying that this is going to be the case.

But as we wrap things up here, Mr. MURPHY, let's use some good common sense here. We're going to take 30 million people who wait until they get absolutely deathly sick and then go to the emergency room off and out of the emergency room rolls, get them preventive care, solve problems of \$20 prescriptions instead of nights in the hospital, and reduce health care costs overall. Eliminate costs for preventive coverage so people in Medicare and others actually get preventive coverage as well.

Help by raising taxes on millionaires and take some of that money to give health care credits and subsidies to middle class people so that they can afford their health care, get preventive care, stay healthier and become more productive. It all makes a great deal of sense. We're saying to parents that your children can stay on your insurance until they're 27 years old. We're saying that you can never be denied insurance coverage because you have a preexisting condition. You can't be kicked off your insurance because you get sick. You can only spend out of pocket 12 percent of your annual income so that you don't go bankrupt like 1,700 families went bankrupt in the 17th Congressional District of Ohio last year.

Extend prescription drug coverage to seniors throughout the year, not any

kind of stoppage in the middle of the year, and make sure that we extend the life of Medicare by 5 more years because of these reforms. This is basic bread-and-butter commonsense reform. This is not the radical kind of reform our friends on the other side want people to believe. It's not what Glenn Beck and Rush Limbaugh and all the scare tactics, "The government is coming to take you over."

It's not any of that. It's basic reforms that the American people want. And, lastly, let me just say that people still continue to talk about this being an issue of freedom, and our friends on the other side keep saying that this is about liberty and freedom. You know what, I agree with them. The person that goes bankrupt because they can't afford health care is not free in the United States of America, and the person who pays tons of money into the insurance industry and doesn't get any coverage, that doesn't seem like you're very free. When you're sick and you can't afford a doctor, you are not free.

Let's talk about freedom in 2009 and 2010. It means being healthy, productive, getting what you pay for and being able to support your family and your business. That's freedom. How free is a businessman who has got to pay a 30-percent increase in health care costs every year? It doesn't seem very free to me.

So, Mr. Speaker, we'll continue to talk about this and jobs and other issues that are facing this country. We appreciate the opportunity to be here.

HEALTH CARE

The SPEAKER pro tempore (Mr. TEAGUE). Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Thank you, Mr. Speaker. It's my privilege to be recognized to address you on the floor of the House of Representatives here tonight along with my colleagues that I have had this great honor and privilege to serve with throughout these years and this 111th Congress. I sat and listened to my friends on the other side of the aisle as they began to talk through this health care debate, which we have addressed, I think, quite a great deal over the last couple of months. No longer is it a legitimate point that we haven't had an adequate time to debate, although I don't know that there is anyone in this Congress that can read and digest 1,990 pages and then read the amendment that was 40 pages long that turns this into a 2,030 pages national health care act that affects every aspect of our lives.

This is not just nanny state, cradle to grave. This is conception to natural death or euthanasia, depending on which component of the bill one chooses to apply. There are carve-outs for euthanasia. There is at this point a Stupak amendment that is part of the bill, a Stupak-Pitts-Chris Smith

amendment that is a pro-life amendment and is very valuable to me and many others.

However, there are grave concerns about the broad implications of this bill and the components of it that run anathema to the American Dream.

I will just address some of the things that the gentlemen spoke of in the previous hour. One of them is that Republicans allegedly sat around and did nothing while they were in the majority. We had a narrow majority, and we did something. We pushed an agenda that was seeking to improve health care in this country and reduce or eliminate the necessary burden on health care.

I made the point that we passed lawsuit abuse reform in this Congress. I believe the year was 2005. The lawsuit abuse that was passed was worked through the Judiciary Committee where I sat and where I participated in that language, and we modeled this after, of all places, a California initiative. Since that time, Texas has taken up the charge of reducing lawsuit abuse on medical malpractice in Texas. The doctors that were exiting the State have now turned around, and many of them have moved back to Texas and started their practices and other medical providers and practitioners have come into Texas.

Now they do have an adequate supply of doctors, nurses and other medical practitioners that are there. But the cost that was diminished by the gentleman from Ohio, the cost of lawsuit abuse, even though the bill that was offered by leadership scored at only \$54 billion, to the gentleman from Ohio—1 percent, he said, of the overall health care costs—I don't know about that number. I didn't run those numbers. It doesn't seem to me, Mr. Speaker, that \$54 billion is a minuscule amount. It doesn't seem to me that \$54 billion is loose change. It doesn't seem to me that \$54 billion is pencil dust.

Mr. Speaker, \$54 billion is real money, and \$54 billion is, though, a small percentage of the overall cost of lawsuit abuse when it comes to providing health care in America. Here are the numbers that emerged when one looks into the underlying costs of the lawsuit abuse. And the score that could come from the Congressional Budget Office cannot include all of this because they simply can't score some of the actual costs that don't index directly into the lawsuits themselves.

It works like this: there are high costs in premiums that doctors and providers are paying, especially OB/GYN doctors, and access to those doctors and services is getting more and more limited. There are also costs involved with the litigation, costs involved with the settlements, whether they are in-court or out-of-court settlements.

One might think that that's all the costs of the lawsuit abuse that is part and parcel of the overall costs of health care. But an even greater cost is the

cost of unnecessary tests and procedures that are undergone by patients in this country directed by doctors in this country to avoid lawsuits, to protect themselves in the event of lawsuits, to minimize the risk and to also hold down their premiums for malpractice. So the cost overall of medical malpractice, the abuse of lawsuits for medical malpractice in America, the cost of the malpractice premiums coupled with the cost of the litigation, coupled with the cost of settlements both in and out of court, coupled with the unnecessary test tests, the defensive medicine that nearly every practitioner practices, whether it is something they can actually identify or whether it's a subliminal shift in their policy, all of those things together, the lowest number that can be applied is not 1 percent, to the gentleman from Ohio. The lowest number I can find out there by anyone's logical representation is 5.5 percent. The number that I trust the most is the 8.5 percent number that comes from the health insurance underwriters representative. And 8.5 percent is a low number.

Some of those numbers go up to 10.1 percent and on up into the 20s, 24, 25, 28 and even 35 percent of overall health care costs. Now I won't range up in there into that one-fourth to one-third of the overall costs because I think that's a harder number to defend, although it may be true. But I do believe that I'm on very solid ground defending 8.5 percent of overall health care costs going to either premiums for malpractice, trial lawyers, those settlements or defensive medicine. Out of the overall costs of providing health care to America, 8.5 percent comes to \$203 billion a year. That's only 1 year. This bill gets scored over 10 years.

□ 1745

So, that \$203 billion over 10 years exceeds \$2 trillion, \$2 trillion in the aggregate costs of premiums and litigation and settlements, unnecessary settlements. We're going to keep everybody whole. Those who are the unfortunate who are, I'll say, victims of medical malpractice, we're going to keep them whole. We're going to make sure that their medical costs are paid for and their loss of income are paid for and there's pain and suffering there, but not the noneconomic damages, not that component that goes off into \$7 million for spilling a cup of coffee on one's lap at McDonald's as happened, and I understand that that was negotiated down and reduced after the fact.

So, 8½ percent of our overall health care costs going for lawsuit abuse. And we can reform a lot of that. We can reform a lot more than \$54 billion of it, and it totals in its aggregate over \$2 trillion, which in and of itself is enough to, according to the CBO, pay for NANCY PELOSI's socialized medicine plan, Mr. Speaker.

I think this puts it in a perspective that's far more legitimate than was offered by the previous gentlemen in the

previous hour, who also announced that if you make less than \$89,000 a year, you're going to get a subsidy for your health insurance; \$89,000 a year. And we're going to subsidize health insurance for people making \$89,000 a year? Are they also going to be paying the alternative minimum tax, I wonder, Mr. Speaker? I suspect there will be many families if that is the case.

We saw what happened when the majority sought to change the SCHIP legislation, that State Children's Health Insurance Program that provides health insurance premiums for low income—kids in low-income families. That passed in about 1997. I remember implementing it in about 1998, when I was in the Iowa State Senate, at 200 percent of poverty. The States could have adjusted that to some degree. Two hundred percent of poverty is the part that I supported. And I come to this Congress and the first effort on the part of Speaker PELOSI was to change the SCHIP program to 400 percent of poverty, to fund health insurance premiums for children in families of four that are earning at 400 percent of poverty in my State, with the exemptions that were directed by Governor Culver, that meant that families of four making \$102,000 a year could have their health insurance paid for by the taxpayers, the taxpayers who presumably, many of them are making less than \$102,000 a year.

And that seemed to me to be an outrageously high income to have the health insurance premium subsidized by the taxpayers and the Federal Government. Since that time this voracious appetite to share the wealth, to take from those who have earned and invested and established capital, those, a lot of them whose investments are the investments that facilitate the creation of jobs, or they create the jobs themselves, scoop from that capital and distribute that to those who make less, takes away the incentive from those who make less to make more.

Why would anyone go out and take a risk and invest capital and start a business and employ people and create goods and services that have value to this economy, if they're just going—the Federal Government's just going to go in and tax your income, keep you from establishing a capital base so that you could grow that kind of a business and grow the jobs and take the money that you earn and funnel it over here, and to take the position that if you make \$88,999 a year, Uncle Sam will cut you a check. And that check will go to—as long as you invest it in health insurance for your family, health insurance for your kids—they're already covered, aren't they? Because this Congress passed ultimately at 300 percent of poverty, so that lowered that number down to \$70,000, something like that, in my State.

But speaking of 70,000, that happens to be exactly the number of families in America that would qualify for Federal funding for the health insurance pre-

miums for their children who also paid the rich man's tax, the alternative minimum tax; 70,000 families in America would have health insurance premiums for their children paid for by the taxpayer.

Meanwhile, they're writing an extra check for the alternative minimum tax because they make too much money in the eyes of Uncle Sam. Seem a little paradoxical, Mr. Speaker? Does it seem a little bit inconsistent? Does it seem a little illogical? Well, it is government, after all, and it's getting more and more illogical as time unfolds. But the statement that Republicans did nothing is not a factual statement. It's not even an opinion. It's a fact that Republicans in this House passed reform legislation in several different categories, and it was fought every step of the way by Democrats.

And by the way, when it did get out of this House, in spite of them, then it was blocked in the Senate. I said at the time on the malpractice, the lawsuit abuse reform, that the block that took place in the Senate was the result of the Senate being a wholly owned subsidiary, presumably, of the Trial Lawyers Association in America. Since that time, that investment seems to have paid off in the House of Representatives, and today, we have a House of Representatives that does not have one dollar worth of lawsuit abuse reform in a 1 to \$2 trillion socialized medicine plan.

Now, how could any group have such influence on the House of Representatives and presumably still, and I think even more so, in the United States Senate, that \$2 trillion in the aggregate of abuse and cost in our health care in America, over this period of 10 years, more than \$2 trillion, and we can't find one dollar worth of savings in lawsuit abuse reform, not one dollar in this bill that is a bill that was sent to this floor by Speaker PELOSI. Not one dollar. And yet, the same people can advocate for cutting Medicare reimbursement rates by half a trillion dollars, almost \$500 billion, taken out of our Medicare reimbursements, Medicare reimbursements that only pay 80 percent of the cost of delivering the services.

And the cost of delivering the services is not a cost that's calculated by the providers, by the health care practitioners, by the doctors and the nurses and the hospitals and the clinics. No, this cost of delivering the services is a number that's produced by Medicare itself. And then it gets a .8 multiplier across that number, and that's what they pay at Medicare. And so the White House has taken the position that there is waste, fraud, and abuse in our Medicare, and they're going to ferret that out. And they found some 10s and 20s and more billion dollars they've said of savings.

These billions of dollars of savings that they can provide to reduce and eliminate waste, fraud, and abuse in Medicare seem to be a bit amorphous. It's hard to identify this and, in fact,

the White House has said, well, we know it's there. We are going to go in and help pay for socialized, I put that in quotes when I say it, Mr. Speaker, "their socialized medicine plan," by reducing and perhaps eliminating waste, fraud and abuse in Medicare reimbursement.

So what do they do? They cut \$500 billion, a skosh less, but \$500 billion, half a trillion dollars, out of Medicare reimbursement rates, and then have not put their finger on where the abuse is, where the fraud is, where the waste is. It's just, trust us, we know what we're doing.

It reminds me of a Saturday night sitcom that I used to watch occasionally. And it was called Sledge Hammer! Sledge Hammer was a detective, and he had a sidekick named Dori Doreau. And they would go through a half-hour routine of criminals doing bad things, investigating them, and near the end of the show, something would happen such as Sledge Hammer would fall down the escalator, something would go up the escalator, tip off the railing, and it would go through this Rube Goldberg menagerie of calamities, and when the dust had settled, somehow Sledge Hammer was laying on top of the criminal and somehow there was a miraculous ending. And he would get up and say, Well, I told you, trust me; I knew what I was doing.

Well, I have about that level of confidence in an administration that would tell us they're going to find tens of billions of dollars in waste, fraud and abuse, but they can't point their finger at it. And they just simply say, Trust us, we know what we're doing. And if you pass this national health care act then we will go into action and save this money to pay for it. But if we don't, do we actually have an administration that's willing to tolerate tens of billions of dollars on their alleged waste, fraud and abuse in Medicare? Are they holding the right to a legitimate integrity and fiscal responsibility in our government? Are they holding that right to a legitimate responsible government hostage to a bill, a bill that's socialized medicine?

And so if we pass this socialized medicine bill, the Senate and the conference report, and it goes to the President, whom I believe will sign anything that says national health care in the title—if we do all of that, then we get to find out this great secret in the White House: Where is all this waste, fraud and abuse in Medicare? I can tell you it's not in any significant amount in my district, Mr. Speaker. And I can tell you that because the providers that I have are getting significantly less than it costs to deliver that service.

In Iowa, we not only are the lowest State in the union in Medicare reimbursements rates, but we also provide consistently some of the highest quality outcomes by the consistent measures that come out. Iowa ranks in the top five time after time after time in

practice after practice and then in the aggregate and the composite. Often number one, more often number two. But we're in the top five consistently in the outcomes, medical outcomes.

And yet, we're the lowest in the Nation in reimbursement rates. And Iowa is, and I can say this with great confidence, the very best combination of cost and quality of health care delivered in the State, but the lowest reimbursements rates in the Nation. And now the White House wants to cut half a trillion dollars from Medicare reimbursement rates. And my State, I believe, is the most senior State in the union. We have the highest percentage of our population over the age of 85 of all of the States in the union. That includes my mother.

And in my district, the 32 counties in western Iowa, of the 99 counties in Iowa, and among the 32 that I represent, 10 of the 12 most senior counties in Iowa are in the Fifth Congressional district, the district I represent. And so I believe I represent the most senior congressional district in America. Punished, presumably, by a half a trillion dollar cut in Medicare, based upon the very questionable and doubtful allegation that there are tens of billions of dollars of waste, fraud, and abuse in Medicare.

I'm convinced it exists, Mr. Speaker. I think it exists in some of the large cities in the country, and I think it should be relentlessly and persistently rooted out. And we should take those criminals and we should do the perp walk with them, and we ought to get them locked up in prison where they belong. But you don't hold a principle that the American people have a right to, which is legitimate law enforcement and the elimination of waste, fraud, and abuse, you don't hold that hostage to an ultimatum that we've got to pass a national health care act, socialized medicine, in order to have good government.

Good government is a right of the American people, and the American people need to demand that right. With the promise that, or the allegation, made by the gentlemen in the previous hour, that Republicans don't have any solutions—in fact the President himself has said Republicans don't have solutions. That statement was never supportable by fact. There have been at least 42 pieces of legislation, some of them comprehensive, introduced by Republicans in this 111th Congress alone. And the difference is we have logical, rational, free market freedom solutions that do not interfere and, in fact, heal up to some degree, the relationship between doctors and patients.

And here are some of them. I talked about ending lawsuit abuse. The next one is to provide for people to buy health insurance across state lines. For example, a young man, 25 years old in New Jersey, would pay approximately \$6,000 for a health insurance policy that, if he could buy it in Kentucky, across the state lines, would cost him

around \$1,000. And yes there is a difference in mandates. And that's part of the difference. But they have put so many mandates on the health insurance premiums in New Jersey that you don't have those kind of options. And because of the regulations and the burden and the cost, and maybe, just maybe, the White House could be right on some waste, fraud, and abuse up there. I'm looking forward to working with their Governor-elect as he becomes Governor and maybe we can help root out some of the waste, fraud, and abuse. And I'd like to see New Jersey rewarded for doing that.

But, if people in America can buy insurance across state lines, and that \$6,000 policy for the 25-year old man in New Jersey becomes a \$1,000 policy for the 25-year old man in Kentucky, that dramatically reduces the cost of health insurance premiums in America.

Another thing that dramatically reduces the cost of health insurance premiums in America is when people have access to, and can afford to purchase safely, catastrophic health insurance. Catastrophic is an essential component of health insurance, and that works in this way, especially when we have health savings accounts. Those health savings accounts that when we passed the HSAs in 2003 in this Congress, and it was enacted into law, if a young couple—and I did this in round numbers—so at age 20 had invested the maximum amount into their HSA for that annual year, \$5,150 for a couple, say, at age 20, and they maxed out each year—it's indexed to inflation—and spent \$2,000 in real dollars out of that in legitimate health care costs and accrued that at 4 percent, and when I did this math it was a logical thing, and it will be a logical thing again to accrue those investment HSAs at 4 percent.

□ 1800

Throughout the 45 years of their working life when they arrived at Medicare eligibility rate having invested the maximum into the HSAs for that period of time and spent \$2,000 a year out, they arrive at retirement with a health savings account of \$950,000. Maybe it accrues it a little bit better. Maybe they spend a little bit less. But I am thinking in terms of well, sure, \$1 million; a million dollars in an HSA.

And what is the Federal Government's investment in that, Mr. Speaker? Well, the Federal Government wants to tax that million dollars. The government doesn't want people to have that money for any use of their own discretion when they arrive at Medicare eligibility age.

I will submit that we want people to invest in a retirement account. We want them to manage that retirement account to include the whole continuum of their life, through an HSA, into a pension fund. I'd like to see them make that investment and manage their health and watch their diet, get their exercise, do the annual check-

ups, and be able to save those costs, those high costs of health maintenance by good health practices, see their premiums lowered because of it and see them rewarded by a growing health savings account so they can arrive at retirement with, let's just say, \$950,000 in that account.

Now, the liability that the Federal Government has today in today's dollars, to be fair, Mr. Speaker, when someone arrives at Medicare eligibility age, that means the cost of that entitlement for the balance of their life actuarially is about \$72,000 per individual.

So, if you have a couple that arrive at retirement today, the liability that the government accepts—which is taxpayers' money in Medicare costs—is about \$144,000 for that couple to take care of their health care needs for the balance of their life starting at age 65. So the difference is roughly \$800,000 and then adjusted for inflation of that liability itself.

But Mr. Speaker, why wouldn't this Congress want to encourage people to invest in their health savings account and grow that health savings account and provide incentives for healthy practices, both exercise and diet and checkups, so that that health savings account became a retirement fund? And why wouldn't we at least, at a minimum, offer them that if you can arrive at retirement and Medicare eligibility and be able to purchase a Medicare replacement policy that would take that individual or couple off of the entitlement rolls, why wouldn't we then tell them, Keep the change, Mr. Speaker? Why wouldn't we say to the American people, Take this nest egg that you have managed and earned throughout your working life and use it to travel the world, retire on, give yourself a monthly pension to add to the other pension plans you might have—presuming Social Security is still there—add that to Social Security or will it to your children. You own it. Why would we want to keep people dependent upon a government program that will end up rationing health care?

By the way, we are already there, Mr. Speaker. It was announced today that there's a government directive that went out. A panel, a health care advisory panel, that women should delay their mammograms until age 50 and then have those mammograms not every year but every other year, because there's too much anxiety involved in having those tests done every year and that anxiety is a factor that factors in.

Think about this, Mr. Speaker. Is that really it? Or is this a Federal directive that ends up rationing health care? What about that 41-year old woman who ends up with breast cancer and doesn't get a test until its too late? What about the difficulty of treating that disease of breast cancer when it goes beyond that point where it can be handled without radical surgery?

We have a directive that came out from the Federal Government that delayed by 10 years a recommendation that women get mammograms and spaced those mammograms out from 1 year to 2 years. So now 50-year-olds getting a mammogram on their 50th birthday, their 52nd, 54th, 56th, and on. That cuts more than half of the costs of the mammogram tests, breast cancer tests, that are going on in this country if everybody follows that directive.

I would suggest that the Federal Government ought not be giving those kinds of recommendations. But I will submit, Mr. Speaker, that this is a little preview, a little window into what the Federal Government would be doing if this socialized medicine bill should find its way through the Senate, through conference, and off the floor of the House and Senate and to the President's desk, where I am convinced he will sign anything that has a title on it that says "national health care." This is just a little preview of what we will see.

We will also see rules and regulations that will come down that are hard rules, not just recommendations. It will be the Federal Government is paying for this so that means you don't get a hip replacement if you're over a certain age, or a knee replacement, or certain tests, or certain cancer treatments. They will declare "end of life" to be something different than the families and the individuals consider it to be. It has happened in every country that has socialized medicine. And many of the people there just simply capitulate.

A number was published the other day that 4,000 babies are born in Great Britain in the hallway and not in the OB section because they don't have room because the rationing of health care and the lack of practitioners causes women in labor to back up in the hallways and have their babies there rather than in the delivery room. That is just one piece of data for one country that is significantly lower in population than we are here in the United States.

So I have suggested two things the Republicans are for: ending lawsuit abuse, allowing for the purchase of insurance across State lines.

The third thing is to provide for portability. Let people own their policy so when they leave their job or move from their State or whatever that change in their life might be, that it is their policy, they get to take it with them, and they own it, and that will give them the freedom and mobility from job to job; freedom to be independent, to start a business, freedom to manage their own health care.

Another component of this, Mr. Speaker, is 100 percent full deductibility of everybody's health insurance premiums. That's also something that I'm confident would be ridiculed by the other side of this argument. A hundred percent full deductibility.

Now, why would it be that in America, a corporation that's hiring people can offer them a package of salary and benefits plan, write off that salaries and benefits plan as if it were wages, 100 percent before taxes, an above-the-line write-off. I mean, that's all right. But why, then, would it not be the case for a sole proprietor, for a partnership, for an LLC—unless they took a salary out and incorporated in order to take a salary out and deduct those premiums—an individual or partnership cannot deduct in the same fashion 100 percent of the overall health insurance premiums like a corporation that has employees can?

Now I am going to suggest—and I think it is a fundamental principle here in America—that if anything is deductible for any entity, it ought to be deductible for every entity. I can't think of a single exception that tells me that that would be wrong.

So I will take this position—and I have—that if corporation X, Y, or Z can deduct a premium for a Cadillac plan or an average run-of-the-mill health insurance plan, if they can deduct a hundred percent of that premium, so should self-employed Joe the plumber, or John and Mary the farm operation, or the gas station people, anybody else that's out there; or an individual who is working for a wage for an employer that's not providing health insurance and wants to go out on the market and buy their own. I believe that that premium should be 100 percent deductible. If we did that, just simply provided full deductibility, that, Mr. Speaker, will insure another million Americans. And that gives us equity in this deductibility.

I talked about HSA expansion. We also need, Mr. Speaker, transparency in billing.

We have today cost-shifting going on in the health insurance industry and the health care industry, and when you have Medicare reimbursements that are coming in at significantly less than the cost of delivering that service, the cost of delivering the service at a minimum, along with some profit from profit margin—which is a good thing; it's an incentive for people to do well and a reward for those who are out there providing some of the best services and especially the innovative services—but the cost-shifting takes place when Medicare doesn't pay it all, it goes off onto some other entity, whether it be a private health insurance provider or whether it be an individual that might be self-insured. There are also the cases, I understand, of those that are uninsured.

But we need transparency. We need to be able to take a look at these billings, and I am not interested in the names of the patients. But I am interested in the names of the institutions and the consistency or lack of consistency in the billing procedures.

I believe that if you're going to get a hip replacement in San Francisco, then those people who would get that hip re-

placement from that provider in San Francisco should pay the same price. They should be billed the same price and there should be a legitimate attempt to collect the same price. I believe that if Bill Gates goes into the hospital and gets a hip replacement and Steve King goes in and gets a hip replacement, and Joe the Plumber goes in and gets a hip replacement, it's all the same procedures from all of the same providers; it all ought to be the same bill.

If we did that, if we had transparency, that will bring together and reduce the cost-shifting because the American people will understand that they have to go shopping, they have to negotiate, they have to advocate, and if they have their health savings account that they're managing, they will have an incentive then to negotiate for a health care cost and outcome that's favorable to them and consistent.

But instead, we patients in America, we are a lot like sheep. We get led into health care, and when we get sick, most of the time, much of the time, the patient in America doesn't pay the bill. They're not concerned about the cost. They simply show up at the clinic and the doctor examines them and says, All right. Now you need to go to a specialist here, here, and here. Run these tests. You show up at the hospital, the surgery is performed, if that happens to be what is ordered. And they generally heal up, they get great care and go home. And some don't address the bill at all. Some of them look at it but they know somebody else is paying the lion's share of that bill, and they're not concerned about the overall cost of their health care.

Therefore, if an aspirin costs 20 bucks, they're not going to raise the issue. But if it is coming out of their pocket, if they're negotiating this, if they're trying to hold together the nest egg of a health savings account, then they're going to look at the cost; and they will look at the transparency in billing, and just the transparency itself will be a restraint from the cost-shifting. And the cost-shifting is kind of a big, not much spoken—not completely unspoken—but not much spoken problem that we have with health care in America.

Four, association health care plans. This is Republicans. And this is legislation that we moved also through this Congress—that was blocked by Democrats—that allows people of professions to join together and bargain and negotiate and buy insurance packages within their professions. So let's say the plumbers get together and they negotiate; the accountants get together and they negotiate. In a similar fashion where credit unions exist and they have a membership that fits the definition, we can let people buy health insurance in the same way, by associating and buying health insurance.

And a piece of this that I have briefly mentioned that needs to also be strongly sustained in this health insurance

debate is catastrophic insurance. Catastrophic insurance is that insurance that as our health savings accounts grow, we end up with a nest egg.

I gave you a description, Mr. Speaker, of how a young couple arrives at \$950,000 in their HSA at the age of retirement. But let's just manage this in terms of \$5,000, \$10,000, \$20,000, maybe \$50,000 in an HSA. Now, if I am a young family and I happen to have been maybe working for 5 years and have been able to accumulate \$20,000 in my health savings account, I am pretty comfortable to negotiate the lower premium with a \$5,000 deductible or even a \$10,000 or a \$15,000 or a \$20,000 deductible. That takes the premiums down dramatically and it provides an incentive for an individual to pay out-of-pocket for their minor health care costs, or pay out of the health savings account for the minor health care costs but to keep that nest egg intact. And instead of paying that higher premium, that premium that, by the way, if you're 40 years old in a family of four in Indianapolis, for example, that family would today be paying about \$535 a month for their health insurance.

Now, if you could raise that deductible and raise the copayment component of it, then that premium would go down and the savings would be something that goes back into—and at least figuratively if not literally and may be literally—the health savings account.

The incentive for people to manage their health insurance premiums and the incentive for people to grow their health savings account needs to be expanded, not eliminated.

But I haven't met anybody who can point to this health care bill, this 1,990-page monstrosity with a 40-page amendment, that can tell me that health savings accounts can even survive this bill in itself.

□ 1815

Mr. Speaker, I have listed through here Republican solutions, and STEVE KING solutions for health care. Some of these we have passed out of this House. It is false to say Republicans have done nothing. The record is replete with legislation that has passed the House of Representatives and legislation that has been introduced into the House of Representatives, at least 42 bills in this Congress, all blocked by Democrats, all blocked by the Speaker of the House.

These logical solutions that I have listed, including ending lawsuit abuse, buying insurance across State lines, providing for portability, providing for full, 100 percent deductibility of health insurance premiums, expanding health savings accounts, providing for transparency in billing, providing for association health care plans, and protecting catastrophic insurance, all of those are Republican principles. Many of those have been blocked by this Democrat Congress.

And I think it is not a question of whether Republicans have ideas. We have all kinds of ideas. We have moved

some of them. Democrats have blocked all of them. Why did they do that? Why did Democrats block logical, free market, freedom-loving solutions to health care? Because their crown jewel is socialized medicine, 1,990 pages of socialized medicine that took months to leverage and arm-twist to get just barely enough votes to squeak by in the House of Representatives.

Those are the facts. And this bill provides some really ugly things that happen to the American people. For example, here are some real numbers, Mr. Speaker. A healthy, 25-year-old male in Indianapolis today would pay about \$84 for a health insurance plan. This is a typical plan. The same plan under the bill that passed the House, the premium would go to \$252 a month. That is a 300 percent increase in the premium. It triples the premium for that young man.

Now, why would we triple the cost for people who don't have a lot of risk and a lot of liability, especially if they are at the entry level of their income? And we are raising the costs on people at the lowest level of their income. You go around to the other end of this, and if you take a couple that is roughly 60 years old that have some marginal health, I will say a less healthy 60-year-old couple in Indianapolis, they would be paying about \$1,169 a month for a similar health insurance plan. That adds up pretty good over a year. And their premium under this bill would actually be reduced about 11 percent down to \$1,043. Now maybe that makes a difference to that older couple. Presumably, though, someone at 60, they will be making more money than they did when they were 25. They will be making more money than that 25-year-old that sees his premiums tripled so we can reduce the 60 year olds by 11 percent.

This is a transfer of wealth in America, a transfer of risk and liability. And by the way, that 40-year-old family with two children, a family of four, mom and dad around 40 years old that are paying \$535 today in Indianapolis, would be paying \$1,187 under this new bill. That is a 221 percent increase in the premium.

That should tell us what is going on, Mr. Speaker. These are bad things for America.

I am going to go down through a little bit of this. Here are the principles that have been laid out by the President.

He argues that the economy has been and remains and he would argue that it has stabilized somewhat in a downward spiral, that we are in an economic crisis. This is part of the dialogue that we have heard over the last year and a half or so. He has said that we can't fix the economy unless we first fix health care. Does anybody remember that? We can't fix the economy unless we first fix health care.

What is the problem with health care? Two things. According to the President, we spend too much money

and we have too many uninsured. Now, we spend too much money is the allegation because it is being pointed out that a lot of the industrialized world will spend an average of about 9.5 percent of their gross domestic product on health care. We will spend about 14.5 percent. Some will give you a number that it goes up to 16 percent and maybe a little more. I am comfortable with the 14.5 percent number.

I am not here to argue that we do not spend too much on health care. I think we spend somewhere around \$203 billion a year unnecessarily when it comes to lawsuit abuse in America. So that is a number that I would subtract a large share of that from the cost of our overall health care before I get down to we are not spending too much. But we also make more than those countries that are spending 9.5 percent.

We have the best health insurance industry in the world, and we have the best health care delivery system in the world with the best individual outcomes for practices in the world. And they will argue that there are civilizations, societies, countries, cultures with policies where people live longer than they do in the United States. They don't seem to want to dig down and ask why.

First, just a couple of months ago we got the announcement that the life expectancy of Americans has been readjusted upwards 2 years. Two years. Now the numbers that are being quoted by the other side, by the Democrats that are pushing socialized medicine, they don't take into account that adjustment in the extension of the life expectancy.

They will argue that our infant mortality rates are higher than a lot of the rest of the industrialized world. I will argue, Mr. Speaker, that we count the babies that die. We have a more accurate data system and reporting system than most, if not all, of the other countries, so our infant mortality is going to be higher than it is going to be in countries that don't record the infant deaths.

These are not measures of the health care system unless you drill down into it and come up with a reason as to why, if there is a society that lives longer, who are they and why. Do they abuse substances less? When you subtract the fatalities from car accidents and suicides, perhaps, and those that are dying from other kinds of accidents, are we a more active society? Once you make those adjustments, I don't believe it holds that Americans don't have the kind of life expectancy that competes with any country in the world. I believe we do.

And I believe we have, again, the best health insurance industry in the world and the best health care delivery system in the world. But the President has been very critical of our costs and our uninsured.

So aside from the costs, the other point is too many uninsured. Well, the uninsured in America are on this chart,

Mr. Speaker. It comes out to be this. Their number is 47 million; 47 million uninsured.

Now, if we just accept that number, that sounds like a lot. We have to ask the question: Who are these 47 million? Well, first of all, it does include 9.7 million who qualify for a government health insurance program, mostly Medicaid, but don't bother to sign up. So that is 9.7 million.

The second number are there are those who qualify for an employer-based plan but don't bother to sign up. That number is somewhere around 6 million.

And then those who make over \$75,000 a year, that is around 6 million.

Those eligible for government programs, 9.7 million. It shows 10 here.

Eligible for employer-sponsored, 6 million.

Then you have those undocumented, noncitizens, about 6 million, and then there is another 4 million who are legal immigrants but are barred by law from government programs. So altogether, illegal aliens and immigrants are around 10.1 million.

When you subtract these numbers, illegal aliens and immigrants, from the 47 million, those who qualify for Medicaid from the 47 million, those who qualify under their employer and don't sign up, and those who make over \$75,000 and don't bother to buy any kind of health insurance program, now you are down to Americans without insurance who do not have affordable options. That is 12.1 million. I like my other chart better. The number is 12.1 million.

So 12.1 million Americans without health insurance and those without affordable options is less than 4 percent of the overall population of the United States. This is how this breaks down in these categories, and this yellow-orange segment is the segment of the overall 47 million uninsured that don't have affordable options.

Now, this piece right here, Mr. Speaker, I will put this on the broader chart of the overall American population. This is the population of the United States at about 306 million. You can see that 84 percent of Americans are insured, and 85 percent of Americans are happy with the policy and the program that they have.

So it is the vast majority of Americans, these little pie slivers up here go down through this category. The yellow and black are illegal immigrants and aliens. And, Mr. Speaker, I am not for providing health insurance programs for illegals. If they broke into the United States and violated our laws, I am not going to set a carrot out there and reward them for breaking our laws and giving them taxpayers' money and handing them a health insurance policy. That is what some people like LUIS GUTIERREZ and others are for, and MIKE HONDA of California are for. STEVE KING is opposed, and I will stand in opposition of socialized medicine and funding illegals under that

program. But that is what these slivers are here, the yellow and the black.

Then this orange piece here, these are the individuals earning over \$75,000 a year. I think they can find another solution other than a subsidy from taxpayers in the market system.

And the green are those eligible for a government program, these 9.7 million who just didn't bother to sign up for Medicaid. We don't need to provide for them. It is already there. They will get coverage whether they sign up or whether they don't, but we can't solve it with this solution.

Then those eligible for employer-sponsored plans, about 6 million, and they don't bother to sign up or opted out.

So you are down to this 4 percent. This red one here is the only one that I am concerned about, 12.1 million Americans out of 306 million, less than 4 percent of our population, and for that, for this red sliver, Mr. Speaker, Democrats have a magical solution for too many uninsured. Socialized medicine, a single-payer plan, incrementally imposed upon America by setting up a health choices administration czar that writes new rules. And in the bill, the result is, reading the language, the cancellation of every health insurance policy in America, whether it be 2011 or 2013, they all have to go back and reboot, push the reset button, push control, alt, delete and see if they can write a health insurance policy that would comply with the new regulations that will be written by the new health choices administration czar. That's where we are. So 1,300 companies, 100,000 policies, none of them can be guaranteed under this bill that a single policy qualifies with the whims or the regulations that would be written by the new czar yet to be appointed even though he would be confirmed by the Senate.

I see my friend from Texas has arrived. Congressman MIKE BURGESS is a medical doctor. He has lived this. He sees this agenda and sees how this actually happens in real life. He has been a fighter for freedom, and I yield to the gentleman from Texas.

Mr. BURGESS. I thank the gentleman for leading this important discussion tonight because it is critical that people understand not only what is at stake but what realistically is possible.

The programs that are talked about in the bill that was passed here late on Saturday night by the slimmest of margins, none of those programs are going to be available the day after the bill is signed, or the day after the day after the bill is signed. In fact, it is going to take time to construct this massive new government entitlement program/insurance program. And as a consequence, it will be some 4 years before those programs are available to help the people that were in the 4 percent margin of folks who are uninsured.

Now, the gentleman talked about the health benefit czar, whatever we are

going to call that person that is yet to be named, and we don't know what that office will do, what their responsibilities will be, but here is what we do know. We do know we passed a 2,000-page bill and it goes over to the appropriate Federal agencies and all of the rulemaking starts.

□ 1830

Think back to 1996 when this Congress passed a bill called HIPAA, and HIPAA was supposed to give us portability in health insurance. And it was a good thing. People needed to have portability in health insurance. But a little paragraph in the bill that required some privacy provisions to be included in the bill turned into, what, 10,000 pages in the Federal Register, and every doctor's office across the land in early 2000 had to start complying with these.

You know, you go to the doctor's office now and the first thing you've got to do is sign three forms. You've got to sign them every time you go in, and they are the HIPAA disclosure forms. Congress, your Congress, required your doctor to do that. And to be perfectly honest, doctors' offices were never the problem with disclosure of sensitive information in the first place. But we are the recipients of that.

Okay. Now we've got a 2,000-page bill. It is going to go over to the Department of Health and Human Services, and all of the rules and regulation are going to be written regarding that 2,000-page bill. Remember a single paragraph led to thousands of pages in the Federal Register and thousands of comments on the rule-making.

Well, we do have a Secretary of Health and Human Services, Secretary Sebelius. Part of that agency that will be charged with writing these rules and regulations is the Center for Medicare and Medicaid Services. We do not have an administrator in the Center for Medicare and Medicaid Services. CMS has lacked an administrator since a week before inauguration when the previous administrator who was under the Bush administration said thank you very much and left. And that agency has been without an administrator since that time.

Now, why is that important? Because this is the individual who is going to have to sift through all of the legislative language in this bill, match it up with the Social Security Act and Medicare Act, put all of these things together and write the rules and regulations under which your doctor's office will have to practice. And we don't even know who that individual is. It may be someone quite competent. It may be someone who is just a political appointee. We don't know, and therein is the problem.

Now, the gentleman has done a very eloquent job of talking about the 4 percent of the people that we actually likely set out to help when we started down this road. And I'm sure the gentleman heard it in Iowa during the

summer. I certainly heard it in north Texas in my town halls. At that time it was only a 1,000-page bill. I can only imagine what they're saying about a 2,000-page bill. We don't want a 1,000-page bill to take care of a problem that actually could be taken care of with simple reform within the insurance industry.

The problem that needed to be corrected was the individual who had a tough medical diagnosis, a preexisting condition, who loses their job, loses their insurance, doesn't get coverage within the appropriate timeframe and therefore is excluded from coverage for time immemorial because of this tough medical diagnosis.

Someone my age loses their job, has a heart attack, their insurance coverage lapses. They're going to have a tough time getting back in. These are the people we heard from during the summer. Yes, we didn't want the Democrats' bill, but we do need some help for this segment of population who falls into that category. They want insurance. They would even be willing to pay a little more for the insurance because they recognize their human vulnerability is now on display. Yet they cannot find it at any price.

And some of the things that we could have talked about, had we been reasonable about this, had we been truly bipartisan about this, is we could have talked about what type of insurance reform. And, in fact, the President, when he stood here before the House of Representatives in September acknowledging that it's going to be 4 years before any of this stuff becomes available, he referenced JOHN MCCAIN's discussion during the campaign a year ago where perhaps something like an upper-limits policy or a high-risk policy would possibly bridge that gap during those few years until their new policies are available. Well, I would just simply submit if we would have spent the effort working on that bridge policy, if you will, maybe the rest of this stuff would not have been necessary.

There are ways to get at this, with high-risk pools, with reinsurance, subsidize those States that are willing to participate in that. The Congressional Budget Office estimated it would cost \$20 billion over the 10-year budgetary cycle in order to beef up those high-risk plans to be able to accommodate those individuals who are involved, even make it a little more generous than that if you want. For heaven's sakes, \$20 billion over 10 years is a far sight less than a trillion-plus dollars over that same 10-year interval.

And I would suggest that this Congress, if they were willing to pass the liability reform the gentleman referenced, save that \$54 billion that the Congressional Budget Office said we could save, and put all of that money toward helping those people with pre-existing conditions, we could go a long way towards solving these problems.

Mr. KING of Iowa. Reclaiming my time, I would like to pose a question and ask your response.

In the previous hour, the gentleman from Ohio alleged that that \$54 billion that would be saved by the lawsuit abuse reform would only be 1 percent of the overall cost of our health care; therefore, it's of small consequence and apparently not worth the trouble to take on the trial lawyers for that 1 percent. And I've made a response to that, but I would offer to the gentleman for his viewpoint since that is a field of your expertise.

Mr. BURGESS. Well, in fact, that is a fairly narrow window that they're looking at. They're only looking at in the Federal system Medicare, Medicaid, SCHIP, Indian Health Service. The Federal Government pays about 50 cents out of every health care dollar that's spent in this country; so in effect you could double that number to \$100 billion that you would save over all persons who are insured, covered, cash customers, and those covered by Federal programs.

In Texas we did pass significant liability reforms back in 2003. It has made a substantial difference in Texas. I will just tell you from the standpoint of a practicing OB/GYN doctor, in 1999 the cost of a policy for a million dollars of liability coverage in the Dallas/Fort Worth market was around \$25,000. It had more than doubled to \$57,000 by 2002. It is back down now to \$35,000 in the years since this bill was passed. So there is an immediate substantial benefit in premiums, but the big savings come in the backing out of defensive medicine that is practiced.

Mr. KING of Iowa. Reclaiming my time, I thank the gentleman from Texas.

In the minute or so that we have left, I have in here in my hand a list of the new Federal agencies that are created by this bill.

This is the old chart for H.R. 3200. That's pretty scary. This is the new chart, and in the middle of that is the old chart. Now, here are all the new agencies that are created. Well, actually maybe not all of them. I've just highlighted a few of them on the front.

The program of administrative simplification, I think they know they've got something complicated. Health choices administration, that is the scary part, this guy right here. That's the new commissar-isioner, referenced by the gentleman from Texas. The qualified health benefits plan ombudsman, which tells you no one can deal with this bureaucracy so you have to have an intermediary already written into the bill. I don't know if you have to have somebody to deal with the ombudsman.

The health insurance exchange, where all of these policies and insurance companies would have to be approved. The State-based health insurance exchanges as well. Public health insurance option, well, that's the one that will squeeze out the private insurance companies.

The list of the colossal magnitude of this socialized medicine bill goes on and on: 111 new agencies, 2,030 pages altogether, and the bottom line of it is, Mr. Speaker, the dramatic reduction of Americans' choices and thereby our freedom and liberty under assault by people who believe that we have to have a nanny state and live under socialized medicine. And I stand in opposition and I will fight this all the way. And I do believe the American people will rise up and kill this socialized medicine bill.

Kill the bill, Mr. Speaker.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. KISSELL) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 12, 2009.

Hon. NANCY PELOSI,
Office of the Speaker, H232 Capitol, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to section 1(k)(2) of H.Res. 895, One Hundred Tenth Congress, and section 4(d) of H.Res. 5, One Hundred Eleventh Congress, I transmit to you notification that Paul J. Solis, Nathaniel Wright, Kedric L. Payne, and Jon Steinman have signed an agreement to not be a candidate for the office of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress for purposes of the Federal Election Campaign Act of 1971 until at least 3 years after they are no longer a member of the board or staff of the Office of Congressional Ethics.

Copies of the signed agreements shall be retained by the Office of the Clerk as part of the records of the House. Should you have any questions regarding this matter, please contact Ronald Dale Thomas at (202) 226-0394 or via email at Ronald.Thomas@mail.house.gov.

Sincerely,

LORRAINE C. MILLER.

AFGHANISTAN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from California (Mr. ROHRABACHER) is recognized for 60 minutes.

Mr. ROHRABACHER. President Obama will soon make a decision that will chart the course for America's involvement in Afghanistan for years to come.

I personally am not upset that it has taken President Obama this long to determine his response to General McChrystal's request for an additional 35,000 U.S. combat troops to be sent to Afghanistan. This is a monumental decision, and it comes when the radical Islamic Taliban and al Qaeda movements seem to be gaining momentum. It also comes when our troops throughout the world are stretched to the breaking point and when our economy is frayed. It comes when the debt that America is piling up is not just alarming but suicidal. This is not the time for business as usual, nor is it the time

for brash decision-making. A decision to send U.S. troops to Afghanistan will cost money, lots of it; and it will cost lives.

In the past, powerful nations were humbled in the rugged terrain of that desolate country. Yes, a desolate country, dotted by thousands of small villages, populated by tribal people so independent and so ferocious that they have never been conquered. Throughout history, attempts to conquer Afghanistan have met with bloody failure. War there is not defeating an enemy; it is conquering a people. And these people have never been conquered.

British writer Rudyard Kipling once wrote: "When you lie wounded on the Afghan plain and the women are coming to cut the remains, roll to your right and blow out your brains and go to your God like a soldier."

The British Army dominated vast expansions of India for two centuries, but it was never able to subdue the Afghans. Thousands of British troops lost their lives trying to do just that. In 1842 a British force of 16,000 withdrew from their fortress in Kabul. That force was then beset upon by Afghan tribesmen who cut them to pieces. Only one member of the original contingent of 16,000 made it to the city of Jalalabad. That one person who survived was the regimental surgeon, Dr. W. Brydon. It was thought that perhaps he was permitted to survive.

Russia too has had its comeuppance in the hostile Afghan countryside. It was one of the Soviet Union's most telling chapters, and it was also one of the Soviet Union's last chapters.

After America's inglorious conclusion of its military operations in Vietnam, our Soviet global adversary was emboldened. Then with the fall of the Shah of Iran, a power vacuum was created that the Soviets hoped to fill. They were then engaged in a post-Vietnam War offensive throughout the world. So when chaos and volatility erupted in Afghanistan as a result of a blood rift between two Afghan communist factions, Soviet leaders sent in the Red Army. They did that to unify the communist factions and to pacify the countryside in Afghanistan, which was already hostile to the communist ideology and very hostile to foreign troops. Perhaps as a payback for the massive Soviet aid provided the North during our conflict in Vietnam or perhaps just as a means of weakening the Soviet global military power, during Ronald Reagan's administration, during his Presidency, our government provided weapons and other support for the Afghan insurgent forces who were battling Soviet occupation troops.

□ 1845

As compared with other 20th-century Presidents, Reagan rarely depended on a policy of deploying U.S. troops to solve problems and to combat enemies. I know that goes against what a lot of people think about Ronald Reagan.

U.S. forces under Ronald Reagan, yes, were sent in to the small island nation of Grenada, which was in the throes of a Marxist military clique's murderous rampage. Grenada was a limited operation, but it was significant because it proved America was willing to use its military forces after suffering a demoralizing national malaise which is best remembered in history as the "Vietnam Syndrome."

Another deployment President Reagan agreed to make was sending marines into Lebanon, which resulted in a catastrophic attack on our marines which left 290 of them dead and many others severely injured. After that, Reagan was reluctant to deploy our troops. And during his administration, if you take a look at the records, he deployed troops into combat many fewer times than most other Presidents did during the last century. Yet, he is portrayed as a Cold Warrior and is branded, and was branded then, by the liberal left as a warmonger. Yet, he deployed our troops fewer times than most other American Presidents.

Yes, Ronald Reagan, more than any other leader, was one who we should basically praise for the defeat of Soviet communism. That enemy threatened our security and the freedom of our people and the freedom of people throughout the world, yet he did not send our troops into hostile action after the Beirut debacle resulted in the death of so many of our marines. Well, if he didn't send in our troops to various places, how, then, was our country so well defended during that time, and how was the evil power of Soviet communism defeated?

Well, the answer is what is called the "Reagan Doctrine." This strategy was based on the concept of helping others fight their battles when their foe was our foe. Rather than sending U.S. troops into Central America, for example, when the Soviets armed its stooges who were in the process of establishing a Marxist dictatorship in Nicaragua, and the Soviet Union sent a billion and a half dollars worth of military equipment to back up that Marxist regime, no, Reagan didn't send U.S. troops down there to fight the Sandinistas. He armed those Nicaraguans who were resisting that regime, the so-called "Contras."

In Africa, America helped arm Jonas Savimbi and his Unita group as they fought a Soviet-backed regime in Angola. And neither of these two groups were perfect. They had many imperfections. These were flawed allies. But they were fighting for their own country, and they were fighting their own countrymen. We did not rely on sending in U.S. troops. We supported those people locally who were fighting their adversary as long as their adversary was our adversary as well.

And, of course, most importantly, we armed and we supported the Mujahedeen in Afghanistan who directly took on the military might of the Soviet Union. Again, many of the Mujahedeen

were people who were totally inconsistent with our outlook and our views on respect and on freedom and individual rights. Many of them were, by the way, very, very supportive of treating people decently and were not radical Muslims in that regard. But they were flawed people who we supported to fight the Soviet Union that we brought down. That's how the Soviet Union was brought down, not by sending in U.S. troops, but not trying to be perfectionists in who we would then support, but to try to defeat our primary enemy.

During those years, I worked in the Reagan White House as a senior speech writer and, yes, as a special assistant to President Reagan. I worked with a small cadre of patriots who made the Reagan Doctrine real. In fact, the speech-writing department is actually given credit by many to actually have developed that doctrine and made it into a doctrine rather than a loose strategy.

Well, those people in the White House who made it real and turned it into a policy, into actual strategies that were being put in place and put to use during the Cold War were a very, as I say, small group of patriots; Constantine Menges, who came from the CIA and then over into the National Security Council, Bill Casey of the CIA, Colonel Oliver North, Admiral Poindexter, Dr. Paula Dobriansky, Vince Canistrano, Ken DeKraffent, all of those on the White House team, on Reagan's team, the administration team, who played a crucial war role in defeating Soviet communism, not by orchestrating moves to send more troops here or more U.S. troops here, but instead to try to support those people throughout the world who were fighting against Soviet tyranny themselves.

And, of course, we had support, and we had an initiation of such ideas and concepts and support of the policy by Dr. Jack Wheeler, who is also a person who worked with us in the White House but was independent and went into these various places around the world and met the leaders of various anti-Soviet insurgencies throughout the world and reported directly back to us and the White House as to what was going on in those insurgencies.

Yes, of course, we need also to thank Members of Congress who were supportive of those efforts. Let us note that Ronald Reagan has often said that it was bipartisanship that ended the Cold War. But I remember very clearly Ronald Reagan being called a warmonger. I remember very clearly those efforts to defeat the expansion of Soviet power in Central America being undermined directly by people in this Congress who wanted to label Ronald Reagan as the problem rather than communist tyranny as the problem.

But there were other people on the other side of the aisle and on the Republican side of the aisle who were active in support of the Reagan Doctrine, the concept of helping freedom fighters

throughout the world instead of sending U.S. troops.

The most prominent name nowadays is Charlie Wilson. Yes, Charlie Wilson as an appropriator, who helped get the money for the Afghan freedom fighters, played a significant role, as his book and subsequent movie suggests. But he was not the only one. Charlie deserves credit, but so do those other people, some of the ones I just mentioned, and others, people who made sure that those people who are fighting for freedom in various countries did get those supplies and that the Reagan Doctrine, the concept was implemented.

We made sure that the Russians learned the lesson that we learned in Vietnam. The introduction of U.S. combat troops in Vietnam did not work. And it was that war that tremendously weakened us. But it was the introduction of combat troops, I believe, into Vietnam that weakened us because the dynamics were changed. Having massive troops deployed in a totally foreign culture did not work for our side in Afghanistan. And here we had our troops in a totally foreign land on the other side of the planet, and by introducing those troops, rather than focusing perhaps on helping the people in Vietnam to fight their battle, we set up a dynamic that worked itself out, yes, and as it worked itself out, it defeated our efforts and left the United States with 50,000 dead, a world humiliation and a country in retreat.

I spent some time in Vietnam in 1967, although I was not in the military. Part of my experience was in the Central Highlands, where I hooked up with a special forces unit that was operating out of an old French fort near the Vietnamese city in the Central Highlands by the name of Pelku. It was there that I first saw a strategy that worked. Our special forces teams had turned the montagnards, Vietnam's indigenous mountain people, into an American ally in this bloody, elongated conflict. Yes, our military forces in Vietnam were never defeated—our military likes to say that. They were never defeated on the battlefield, not in one major battle. But we lost the war. The strategy was wrong.

In the Central Highlands, the montagnards were with us. In fact, I felt very secure, and I knew the montagnards would put a high priority on protecting me while I was with them, even though I was an American. Yes, in the Highlands, the montagnards were with us. Those were the people that occupied the Highlands in Vietnam. And had the war been decided there, with those montagnards and those people, our enemies would have been defeated instead of an American defeat.

In Afghanistan, America gave the people of Afghanistan the weapons they needed to fight the Soviet Army. And when we provided them Stinger missiles, we gave them the means not just to fight, but to win. By the way, we also promised to help rebuild their

torn country as we encouraged them to fight, bleed and sacrifice in order to defeat the Soviet Army.

The Afghans paid a monstrous price for their victory: 1 million killed, even more wounded, and devastation throughout their society. These brave and heroic people stood up and defeated our mutual enemy.

I was blessed with not just meeting the leaders of the anti-Soviet Mujahedeen when they visited Washington back in the 1980s. I actually went into Afghanistan with a Mujahedeen combat unit and participated for a short time in the battle of Jalalabad, which was the last major battle in which Soviet troops were present.

I do not recount these moments in history to bring praise upon myself, but instead to lend personal authority to the battles we endured then and to the issues that confront us today. That weeklong exposure to that Afghan battle gave me a lasting admiration for these unconquered people. It was the courage of the Afghan people, more than any others, that broke the will of the communist leadership in Moscow and, yes, brought about the collapse of the Soviet communist threat that had loomed over our heads for decades.

When Soviet troops moved out of Afghanistan, instead of fulfilling our promise to help rebuild their war-torn land, we left those brave people to sleep wounded in the rubble. We did not even provide them the resources they needed to clear their country of land mines that we had given them during their war against the Soviet Army. Thus, we left them with a country in which, for a decade, the legs were blown off their children as they walked through the countryside. We didn't even provide them the help to clear their mines at that time.

Now that decision to walk away from Afghanistan was the decision not of Ronald Reagan, but of President George Herbert Walker Bush. And, of course, as we walked away, the anti-Soviet Mujahedeen broke into warring factions. The chaos and misery was predictable. But, of course, we just walked away. We let them just go down into the depths of misery and of conflict and of self-mutilation of that society.

Eventually, during the Clinton years, our government made a secret pact with Saudi Arabia and Pakistan to end the chaos in Afghanistan by introducing a new force called the Taliban. Now I had seen the strategies before of assisting forces in Afghanistan who are radical Islamists. I, in fact, spent considerable time in the White House pounding on people's desks saying, why are we providing military support for people like Hekmatyar Gulbuddin, Sayaff and others of the radical Islamists, who were fighting, yes, the Soviets, but who were also killing other elements within the anti-Soviet Mujahedeen, killing them because they were not as radical in their Islamic tradition?

That backfired on us then, and, in fact, during the gulf war, the first gulf war, it is significant that the Mujahedeen radicals that we had supported, Hekmatyar Gulbuddin in particular, sided with Saddam Hussein. This after we had provided him with more than a mountain of weapons. No. I argued against this stupid strategy based on empowering religious fanatics. It was totally unjustified, especially when there was a moderate alternative. During the war with the Soviets, there was a moderate alternative in that we had groups of Mujahedeen fighters who were not the radical Islamists that eventually became the Taliban.

□ 1900

It is a mistake many people make. They think the Mujahedeen were the Taliban. The Taliban came later. But I could see that empowering religious fanatics when there was a moderate alternative was not the right way to go. And after the Soviets had been driven out, there was a moderate alternative. The moderate alternative was King Zahir Shah. He was an exiled king right before the Soviets took over. The fact is he had ruled that country for 40 years. He was the only leader who ever gave Afghanistan a time of tranquility and progress. And he did that by not trying to impose his rule on the rest of the people of Afghanistan, but instead ruled as a monarch, as a symbol, as a father of his country.

Well, he was available. He was living in exile in Rome. I argued that case that he should be the one brought back to unify the country, not some radical Muslim sect like the Taliban, but the Saudis and the Pakistanis were insistent. They thought they could control the Taliban and they would use the Taliban—control of the Taliban to control Afghanistan. Of course, America just went long with it.

President Bill Clinton and his administration signed on to that deal. Well, it is was an easy way out. We're going to provide so much money and assistance, and the Pakistanis were there. Of course, then people didn't realize that the Pakistani military and the ISI, who we have since proven were actually radical Islamists themselves, they were the allies of the worst anti-American radicals in that region.

So, in reality, America, in the mid-1990s, was covertly supporting the Taliban. We covertly supported its creation and we made sure that our aid was channeled into those areas that supported the Taliban, but we short-changed all the other nonradical Islamists like Masood and others who were there and didn't get that same level of aid.

Most importantly, the people of Afghanistan believed then, as they do now, that the United States helped create and was behind the Taliban. If they believed it, and they are living with it, the American people should know this as well.

Well, the fact that the Clinton administration was covertly supporting

the Taliban did not stop a number of us from doing something else, from trying to create another alternative. Ben Gilman, chairman of the House Foreign Affairs Committee, along with a small team of activists—and I'm very proud to have been one of them—struggled to change U.S. policy and went out to support those who opposed the Taliban.

I was in and out of Afghanistan personally. Our team was working to build an anti-Taliban coalition by uniting ethnic and tribal leaders, especially those in the non-Pashtun areas of Afghanistan. It should be noted that we also worked with Pashtuns who are anti-Taliban; leaders like Abdul Haq, who was a terrific leader and one of the great leaders in the Mujahedeen effort to fight the Soviet army during their occupation. He was a Pashtun leader that we were working with.

Yes, there was King Zahir Shah, who was also Pashtun, but by and large we were trying at the very least to get those in the northern part of the country and those ethnic groups other than Pashtuns, because in Afghanistan, yes, not all Pashtuns are Taliban, but almost all Taliban are Pashtuns.

During that time, during the 1990s when we were working trying to create that coalition, I met with General Dostum, Commander Masood, Ishmael Khan, and many others. Our team brought together all the leaders of the ethnic groups of the Afghan ethnic groups and the significant tribes. We brought them together in Frankfurt and Bonn in 1997, and Istanbul in 1998.

Then, in December of 2000, I and Chairman Gilman brought the key Afghan players right here to Washington, D.C., to our Foreign Affairs Committee room in the Rayburn Building. As a result of that meeting, organized by Chairman Gilman and myself, what resulted from that meeting was a phone call made during that meeting from the participants here, who were anti-Taliban people that we brought here. That telephone call was made to King Zahir Shah, who was then living in exile in Rome.

During that phone call an agreement was reached that the king would return to Afghanistan into Masood's territory and lead a *loya jirga*, which is a gathering of leaders of Afghanistan, in July of 2001. When that agreement did not bear fruit, when that meeting did not occur, Ben Gilman and I dispatched committee staff in late August and early September of 2001 to Rome and to Pakistan to find out why that *loya jirga* had failed to materialize.

So whatever the Clinton administration was doing, whatever their tilt to the Taliban, there were others of us trying to do what was right, and, yes, all of that activity paid off. Eventually, after 9/11, the Afghan tribal and ethnic leaders on our team and basically those people that we had been encouraging to get together and form a coalition, that coalition emerged after 9/11 as the Northern Alliance.

Most important for Americans to understand now, it was the Northern Alli-

ance—Afghans themselves, not U.S. combat troops—that drove the Taliban out of Afghanistan after 9/11. Many people now are very loose in their words when they discuss how the Taliban was defeated and driven out after 9/11. When we drove them out. You can hear that over and over again. Well, it was a magnificent victory, but America only had 200 troops on the ground, Special Forces, when the Taliban were driven out of Afghanistan.

So when you hear people say, Oh, well, the only thing wrong in Iraq was we didn't come in with enough boots on the ground, we only had 200 boots on the ground in Afghanistan, and, in fact, those 200 boots gave us a tremendous victory, and it also gave us a tremendous opportunity to rebuild that nation and to demonstrate the benefit of being America's friend. It gave us the opportunity to make up for breaking our word after the war with the Soviets and to regain the trust and admiration of moderate Muslims throughout the world. We had that chance.

Afghanistan, which, by the way, is about the same size as Iraq, we had driven out a force of tens of thousands of Taliban soldiers and their al Qaeda allies, not by U.S. troops—only 200 U.S. troops were there—but instead by providing air support and supplies and communications to those people in Afghanistan who were fighting against this radical Islamic gangsters who had oppressed them.

Well, after the Taliban was defeated, instead of focusing on Afghanistan, instead of keeping our promise, going back to keep our word, which we had given so long ago—and, I might say, we renewed that promise when we asked them to drive out the Taliban—instead, President Bush rushed the United States into an invasion/liberation attack of Iraq. The battle for Iraq, however, was fought by U.S. combat troops, a totally different strategy from what had worked in Afghanistan.

By the way, we could well have implemented a similar strategy in Iraq by arming the Kurds and the Shiites, by making deals and cutting deals with Shiite leaders, by reaching out to different people in their military and in their government. Instead, no, we sent in large numbers of U.S. troops in combat units. Only when we pulled our forces back and used our financial resources to buy the goodwill of people in Iraq did the Iraq war turn in the right direction.

We have heard a lot about the surge. I voted for the surge and I have tried to be as supportive as I could, realizing a defeat in Iraq would have been a horrible and demoralizing event for the people of the United States, and it would have emboldened terrorists and radical Islamists throughout the world. I tried to be supportive, but we were obviously doing the wrong thing. We obviously used the wrong strategy. The competence of the last administration in carrying out that war and building

peace was abysmal. We could have done what we did in Afghanistan and let the Iraqis liberate themselves from Saddam Hussein's tyranny.

The human and financial cost of the Iraq liberation and how it was accomplished, all of the incompetence that went with it, will be the subject of scrutiny for years to come. However, we have moved forward and there are some signs or every sign of success in Iraq. That success—it's clear that that success was brought about not necessarily by large numbers of U.S. troops, but instead, not just the surge of troops, but General Petraeus's ability to use financial resources to win the loyalty of Sunnis and other tribal leaders in Iraq.

But what is also clear is that our Iraq focus after the defeat of the Taliban prevented us from doing what was right by the Afghan people. And there is a cost to that as well. There is a cost that we will pay for not doing what was right to the Afghan people and just rushing off to commit our treasure and our troops into Iraq by stretching ourselves too thin so we couldn't do the right thing in Afghanistan.

Now, what is that price that we're paying? Now, after years after the initial success of driving the Taliban out, the Taliban's radical Islamic threat is growing. And the response to this threat? Send in more U.S. combat troops. Whenever that's been tried as just a simple answer, it's failed. Whenever there's been unconventional warfare that we have had to deal with, that strategy of sending in more U.S. combat units has not worked, whether in Vietnam or Afghanistan or anywhere else. Foreign troops in a foreign land fighting as combat units will almost always end up in hostile territory, and even those locals inclined otherwise will eventually turn against foreign troops to side with their own countrymen. That dynamic is very easy to identify.

President Obama is being asked by General McChrystal, who I deeply admire, to send 35,000 more U.S. combat troops into Afghanistan. If my experience tells me anything, it is that the introduction of more U.S. combat units into Afghanistan will be counterproductive and perhaps disastrous. And the likely downside to sending more U.S. combat troops is recognized by our own U.S. Ambassador, General Eikenberry, who is now our U.S. Ambassador to Afghanistan. General Eikenberry is a career military officer with impeccable credentials and an exemplary record. He has told President Obama that more U.S. troops will mean that the Afghans will remain dependent on our military rather than stepping forward and fighting their own battle.

By sending more U.S. combat troops, we will encourage exactly the wrong behavior by the Afghans. And, obviously, the Afghans have proved time and again that they are willing to fight. They're willing to fight for their

families, for their villages, for their way of life. And, yes, they're willing to fight for Afghanistan.

□ 1915

Well, that is so obvious. Yet the easy answer for America's decision-makers is to send more U.S. combat troops. Well, easy answers have a great deal of appeal to power brokers, but easy answers usually don't solve the problems.

Yes, sending more U.S. combat troops sounds less complicated than having to deal with Afghan ethnic, tribal, and village leaders on the ground. Sending more troops sounds a lot easier and less complicated than undoing the horrendous strategic mistakes our State Department has made in forcing a foreign structure onto Afghan society since 9/11.

In short, our government has tried to force the people of Afghanistan to accept centralized rule from Kabul. And even if that government wasn't corrupt, even if Karzai's brother wasn't a drug dealer, the centralized power and decision-making that we have tried to force on the Afghan people—or at least supported that being put on them—is totally contrary to the Afghan history and culture. These people are brave. They will not be subdued and pacified by a Kabul army or especially by a foreign army, even if it's our Army.

No, we must make allies of the brave people of Afghanistan, not send in more U.S. combat troops to fight them. Even if our troops fight against their enemies, it is still wrong because even if we're fighting against the Taliban, who are our enemies, it is still wrong because it creates a dependency of the other Afghans on us to do their fighting. And in the long run, the brave, courageous people of Afghanistan will not appreciate that we have made them dependent upon us. That will not be appreciated.

They are a people of tremendous integrity. I walked through Afghanistan that one week that I spent at the battle of Jalalabad, and I remember seeing these people. If they got wounded, if they were wounded, they were gone. There was no medical evacuation there. If they stepped on a land mine, they were gone. And when they were wounded, they didn't cry out in pain. You had young people there fighting right alongside elderly people.

These people were a country, a brave and courageous country. I remember as we walked through the countryside, the southern part of that country had been blown asunder by Soviet airplanes. People were living in caves, and they would come out. They didn't know that I wasn't an Afghan. They didn't know that I was American. I had a beard and an AK-47 strapped across my shoulder, and they came and they would say, Please let us, Mujahedeen, our brothers, let us give you some tea and bread. The people would come out of their caves where their families were living to give us tea and bread. And as we left, some of the Mujahedeen lead-

ers that were with me said, You know, that's all the bread they had. Their family is not going to have that bread tonight.

What kind of people are these? These are wonderfully courageous people of integrity, sharing their bread because they were part of this national effort. We do not want that power and strength and integrity turned against us. We want them on our side, and we must be on their side. Sending more U.S. combat troops will not accomplish that mission.

U.S. Army Major Jim Gant has written a booklet entitled "One Tribe At a Time." In it, he details his account of being embedded with Afghan villagers, and he lays out a strategy to defeat the Taliban from the bottom up, not from the top down. Certainly we will defeat them not by sending in more American combat units to do the fighting but, instead, let these ferocious people do their own fighting with our support.

It's a cost-effective plan; and even though it's more complex than simply sending more troops, it's the only plan that can succeed. It's focused on sending our teams, combat teams, to live with the Afghans in their villages, helping them build their militia structure, providing them guns and ammo and, yes, buying goodwill of their leaders and perhaps helping them rebuild their country's infrastructure. Perhaps a clinic in a region, perhaps helping them get a clean water supply.

Afghanistan has the third highest infant mortality rate of any country in the world. Yet we want to spend our money sending troops. After we promised we would help them rebuild their society, they still lose their children not just to land mines that weren't cleared off but to dirty water that destroys their children's lives, makes them sick and makes them die of diarrhea. It's a terrible, terrible thing.

And what is the cost of the 35,000 troops that is being suggested that we send to Afghanistan? Already I am saying that the strategy doesn't work. But what is the actual financial cost? The cost is \$35 billion, \$1 billion for every 1,000 troops annually. We can buy all the goodwill we need, and we can help rebuild Afghanistan for far less than it will cost for just 1 year's worth of 35,000 combat troops. For \$1 billion, we could buy the goodwill of the tribal and ethnic leaders.

For a very small amount of money, we can help them build up their own militias by which they can then defend themselves and not worry. Is the U.S. going to go away and leave us vulnerable? Americans cannot patrol, subdue and pacify every area of the globe where hostile forces lurk, especially in Afghanistan. It will break our bank. Our young men and women in our services will be unnecessarily killed and maimed; and in the end, the same thing will happen to us that happened to the Soviet empire: it will break our bank, and the American people will not be willing to shoulder responsibility any-

where in the world because of the horrendous complications that have arisen from our jumping in to doing the battle for everyone in Afghanistan and other places of the world.

Yes, we do need to use our military forces in places; but if we do this, if we send them off to missions that can't be accomplished, we are not doing our duty by them. And how do we know that? If there are two military truisms, history lessons that should have been learned in the last century, they are: Don't march on Moscow, and don't invade Afghanistan.

Afghanistan will not fall to the Taliban if we support those brave people who defeated the Taliban. Our State Department, in their rush to centralize power in Kabul, actually organized the effort and pushed the policy of disarming the anti-Taliban Northern Alliance after their initial victory. They have then pushed not to develop the militias. Every village in Afghanistan, every male child is considered to be part of the militia and is expected to learn how to use the weapons of the day.

Now through that militia, we can mobilize that. And when they say to us—and I have read these accounts over and again. They are afraid that America might abandon them again. Well, why are they afraid? Because we haven't given them the means to defend themselves. We should not only give them the means, but we should help them, support them, provide them the air support, give them the financial resources, the communication gear so that they will win a victory against radical Islam.

That is the only way that radical Islam will be defeated—not by sending U.S. troops all over the world and especially into Afghanistan. Yet our foreign service continues to rely on more U.S. troops and, yes, on building a national army in Afghanistan that will be controlled by the government in Kabul, a corrupt government that is not trusted by the people of Afghanistan and is not even trusted by our own leaders.

This is exactly the wrong approach. Instead, as I say, we should arm every village militia which will align with us. Any village militia that will align with us, we should be on their side. We should give them guns, ammo, supplies, and communications gear. We should back them up with air support, and, yes, let's have Special Forces teams embedded in the villages, like Major Jim Gant has told us would be an effective strategy.

That strategy and buying the goodwill of tribal leaders, people who were there leading their—this is a naturally democratic society from the bottom up. By the way, our country would have failed had we insisted that all the political power in our country would have been decided by the central government. It's the States in our country that control the education. It's the States that basically control the police and the justice of our people. Had we

not had that policy from day one, our country would not have succeeded.

Yet we've been trying to push on people who are even more protective of their rights to make their own decisions for their own villagers—we're trying to push a simple government on them which they don't even know. Well, that strategy of buying the goodwill of tribal leaders will carry the day. We can go in and identify with these leaders there, work with them, work with their people. That is the strategy.

Yes, as Major Gant says, there is risk in this; but the greater risk is a strategy of sending more combat units which rumble through the countryside. I met with a group of Afghan veterans just last week, and they told me that what they were told to do by their commanding officers was, you just take hikes through the countryside until they get shot at, and then they start firing back. Or they drive their trucks and their vehicles through the Afghan countryside and through Afghan villages until they are either shot at or they run over some kind of an explosive device, and then they retaliate.

That is not a strategy for victory, and that's what happens when you send major combat units into a country rather than trying to defeat the enemy in that country from the bottom up, rather than inserting something from the top down. Such a strategy of helping the villagers there in Afghanistan who have lived under the Taliban—they hate the Taliban. They have seen their schoolteachers beheaded. They have seen their young girls being treated like dirt and like animals. They do not want to live that way, and they will not submit to the Taliban—unless, of course, they aren't given any chance to defend themselves.

The strategy of helping those people who are willing to fight against that form of radical Islam that they know and despise, that is a cost-effective way of dealing with the challenges that we confront in Afghanistan. It will cost less in blood. We won't be putting our people in harm's way. And, yes, some teams that go there—yes, some of these teams that will be embedded with those villagers, some members of those teams will lose their lives.

But I would dare say, and Major Gant says so as well, that far fewer American military personnel will lose their lives that way than if we continue the strategy, which is basically alienating the people of Afghanistan who eventually will rise up against us because the strategy is not something that takes into account their own needs at the village and tribal level. It will cost us less in blood. It will cost us less in treasure than sending more combat troops to use Major Gant's strategy and a strategy of working at the bottom level rather than just sending in more troops.

And to help them rebuild their country at long last. Rebuild their country after we promised them what we would do after they defeated the Soviet Army

and after they kicked out the Taliban. But we owe it not only to the Afghan people to look very serious about this; we owe it to our troops not to send them on a mission that they cannot accomplish. We have an opportunity at this time to do the right thing and not just to place ourselves in a position to end up with a military, diplomatic, financial, and human embarrassment that we will have lost so many people and so many lives for nothing, for an outcome, another quagmire.

I have one last story that I would like to end my speech on tonight, and it is a story that I want to make sure people understand. What I am saying today is not in any way a bad reflection on our military. The fact is, I met with our veterans from Afghanistan last week in my office. They support this strategy. Just because I'm saying they can't do everything and fight every battle doesn't mean that I don't respect them. In fact, I believe they are heroes. Every one of those people willing to put their lives on the line, they are heroes. They are willing to risk their lives for us. We owe them our best judgment not just an easy answer of sending more military people into a conflict.

My family was a military family. I grew up in a Marine family. My father was a lieutenant colonel in the Marines. We were stationed in Marine bases until I was 16.

□ 1930

My brother graduated from Camp Lejeune High School in 1963. His best buddy, his very best buddy, graduated from high school with him and immediately joined the Marine Corps when he was 17 years old, David Battle. David Battle joined the Marine Corps right after he graduated with my brother, and he was my brother's best friend. Well, years later, when I went to the White House with Ronald Reagan, I went to the inaugural ceremony, and then I had off for about a week before, or a couple of weeks before, I would actually start on the payroll in the White House. My family, my mother and my father and my brother, came to the inauguration in 1980, and then we rented a car and traveled down to Camp Lejeune to see where we used to live, to see if we could remake old acquaintances.

And we found my brother's best and dearest friend, Sergeant David Battle. He was well on his way to retirement. He'd already bought himself—only a couple of years away, and he'd bought himself a boat that he was going to dig clams and mussels out in the inlets in North Carolina and sell it to the local fish markets. He would have his retirement. He had served two tours of duty in Vietnam, a wonderful man with a wonderful family. His parents were there. His lovely wife was there with their two children, and we had an evening that I will never forget, a great North Carolina evening.

And then the next day my family drove to Washington, and I entered the

White House and took my place on President Reagan's staff. President Reagan, as I have mentioned, sent the marines, deployed our American marines, into Beirut. It was not a good decision. It was something that was a risky proposition and had very little chance of success. I knew that, and I actually mentioned it to a lot of people.

But what especially caught my eye when I was looking at that was that the State Department had initiated a policy, a rule of engagement, that was accepted by the military, forced on them by the State Department, that the marines would not be permitted to have bullets in their guns. Their clips would not be in their rifles, would be in pouches because the State Department was so afraid they might get trigger happy if they were shot at. Yeah. So we sent our marines in. I went around to offices in the White House and I pounded on the desk and I said, what are we doing here? How could we send our people in to try to defend us and tell them they can't, our soldiers, our marines, can't have bullets in their guns? This is insane.

And I was told over and over again, don't worry, Dana. Don't worry. Bud McFarlane, George Schultz, Jim Baker, they're all former marines. They're going to take care of this. And it didn't get taken care of because after I left and was assured it would be taken care of, that piece of paper ended up on the bottom of the stack, on the bottom of the stack, and our troops, our marines continued for weeks to be in harm's way, without bullets in their guns.

And again, I assumed that these people were going to handle it. I was told that they would. And then that horrible day when an Islamic terrorist drove a truck filled with explosives through the guard gate outside our Marine compound, and the Islamic terrorist smiling because he knew our guards could not stop him because their guns were unloaded, and he drove that truck into the Marine barracks and blew 290 marines to hell—290 marines. And I looked desperately. I looked to see who it was, and the first name on the list of casualties was Sergeant David Battle, my brother's best friend. I went into my office and wept that day.

And then I stopped crying because I said, I'm going to make a resolution right here and now that I will never cease to be pushing and pushing and trying to correct a situation that I know is wrong. If it takes me being obnoxious, I will do that, because we owe it to the people who defend us, the Sergeant David Battles, they salute and march off and put themselves in harm's way. They are doing their duty. It is up to us to do our duty by them, and not send them on a mission that they cannot accomplish, and not send them into harm's way to lose their lives for nothing.

Today, we have a major decision to make in Afghanistan. It is up—I would

call on all of my colleagues to stand up and be counted on this issue, seriously consider what the chances of success are, and if they agree with me that the approach being taken of sending more troops in, that we stand up and we prevent this policy, like the policy of sending our troops into Beirut without bullets in their guns. And we should not assume that just sending those guys there will be accomplished because other people will watch over and make sure the job's done correctly and that our troops are safe.

It is up to us, each and every one of us, to insist that this strategy of simply sending in more troops, at \$35 billion, a strategy that's more likely to work and accomplish what we want to accomplish, is put into place, a strategy that will keep faith with the Afghan people, instead of just simply relying on Americans doing more of the fighting, help them rebuild their country, rearm them, arm them so they can do their own fighting. We owe it to our troops. We owe it to our marines, we owe it to the Sergeant David Battles who have given their lives over the years for our country, to make sure we do our duty by them as they do their duty by us.

9/11 CHANGED EVERYTHING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes.

Mr. GOHMERT. Mr. Speaker, it's a pleasure to be here on the House floor, especially when you know the history of this floor and all that's been done to keep Americans safe, the reactions on this floor by great American leaders after tragedies such as we had after Pearl Harbor, when the President of the United States spoke from that lectern right there after Pearl Harbor. Before 9/11 that was the worst attack on American soil. But 9/11 changed things substantially. For one thing, I never thought during my 4 years in the Army, going back to the 1970s, that we'd ever see patriotism at a level that it is today, where people actually appreciate people being in the service. The Vietnam Vets knew what it was like to come home and to be spit at and ridiculed. I know when I went through basic at Fort Riley, there was an order not to wear our uniforms off post because there was supposedly violence that was done. There were people beat up who were in the service.

But somehow, for a while there, 9/11 brought this Nation together, where people began to take notice and care about first responders, and they began to care about each other. And on September 12, there on our courthouse square in Smith County, Texas, we had people of all walks of life join together, a huge group came, and it culminated in everyone holding hands and singing God Bless America. And as I looked around, there was not one single hy-

phenated American. We were all just Americans, all kinds of races, genders, creed, colors, national origins. But we were just Americans.

Well, after 9/11 we realized that for the first time in our history the oceans did not provide the protection that they once did. As an old history major at Texas A&M, and continuing to be a student of history since, I don't know of another Nation in the history of the world that has been so blessed and protected as we were with the Atlantic and the Pacific oceans. Even Australia, which was surrounded by water, always had to fear invasions. But after the War of 1812, for the most part, we didn't have to worry about external threats so much as we were able to think about Manifest Destiny, moving and settling the continent, the Industrial Revolution, having the effort to make the Constitution mean the same for all people, no matter what race, creed, color, gender.

But 9/11 sent a message that the oceans no longer protected us, that we were going to have to take more measures to protect ourselves. I recall back in the 1980s it being said that one of the great things about the Atlantic and Pacific, if somebody intended to be a suicide bomber, they would lose their nerve crossing the ocean. And certainly, anybody that moved here and lived among the American people would begin to see how much freedom we had here, and they would come to love America as we do, and they would not want to blow up their friends and neighbors. Again, 9/11 changed all that.

So if someone doesn't know the lessons from history, then they are destined to repeat it, as the old saying goes. Well, the Constitution, and I have a pocket Constitution here, article one, section 8, says that Congress shall have power to—and one of the things that we have the power to do in Congress is constitute tribunals inferior to the Supreme Court. And you get over to article three, section one, the judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish.

Even the Supreme Court, over in section two, where it's talked about, it says in all of the other cases before mentioned the Supreme Court shall have appellate jurisdiction, but it's the law in fact, with such exceptions and under such regulations as the Congress shall make. So the Supreme Court owes its existence to the Constitution. Every single other court in America, Federal court that is, owes its existence to the Congress. We create the courts. We establish their jurisdictions. We have the right to establish their venues. And when we dealt with this issue back in 2005 and 2006, of having to deal with terrorists who are captured on the foreign battlefield, what do you do with them? You certainly don't want to bring them onto American soil, because if you did that, there'd be

some court that would say, well, they have all the rights and privileges of an American citizen, which shouldn't be true, but until some court says it's true, and at that time, since we believe in following the law, even though some courts do not, they create it instead of follow it, we follow even the renegade courts when it's the law of the land.

So, we had to deal with this issue. Following all of the precedents, and I believe Justice Scalia does a phenomenal job of discussing precedents, as does Chief Justice Roberts in the *Bimidian* case. But we had to deal with people like Khalid Sheikh Mohammed. Khalid Sheikh Mohammed was captured in Pakistan on March 1, 2003, by the Pakistani ISI. It may have been a joint action with agents of the American Diplomatic Security Service, but he's been in U.S. custody ever since that time. In September of 2006 the U.S. government announced it had moved Mohammed from a secret prison to the facility at Guantanamo Bay detention camp.

Now, some came to believe that Guantanamo is such a horrible place. That is where we waterboard people and things like that. The waterboarding that apparently occurred, never occurred at Guantanamo. That was elsewhere. Guantanamo Bay is a place I've been a couple of times. And, having been a judge, I've had the opportunity to explore and tour many different types of prisons.

□ 1945

Attending a tour of the Guantanamo Bay facility was not unusual except that it is unusual to get there. You don't take a commercial flight to Guantanamo Bay, which is one of the reasons it's such an ideal spot for people who are a threat to our way of life.

We have also Ramzi bin Al-Shib who was captured by Pakistani forces in Pakistan around September of 2002. He was transferred to Guantanamo Bay, Cuba, on or about September 26 where he also has remained.

You have other people being detained there that we know have been self-confessed terrorists and under the pleading that was filed by Khalid Sheikh Mohammed, as he said, "We're terrorists to the bone, and if we terrorize you, kill you," basically, "thanks be to God."

These are people who do not believe we should have the freedoms that we do in America because they think freedom ultimately leads to degradation of the individual and the country. Therefore, people should not be allowed freedom, they should be told what they can or can't do; and they believe that they get a special place in Paradise if they are able to go out in this life having destroyed and killed what we consider innocents and what they consider infidels.

So we come to the announcement by the U.S. Attorney General when he announced that the Department of Justice will pursue prosecution in Federal

court of five individuals accused of conspiring to commit 9/11 attacks. He said further, "I've decided to refer back to the Department of Defense five defendants to face military commission trials, including the detainee who was previously charged in the USS *Cole* bombing. The 9/11 cases that will be pursued in Federal court have been jointly assigned to prosecutors from the Southern District of New York and the Eastern District of Virginia and will be brought in Manhattan in the Southern District of New York."

He goes on and ends up saying, "In each case, my decision as to whether to proceed in Federal court or military commissions was based on a protocol that the Department of Justice and Defense developed, and it was announced in July. Because many cases could be prosecuted in either Federal courts or military commissions, that protocol sets forth a number of factors, including the nature of the offense, the location in which the offense occurred, the identity of the victims, and the manner in which the case was investigated that must be considered. In consultation with the Secretary of Defense, I have looked at all of the relevant factors and made case-by-case decisions for each detainee."

Well, it wouldn't seem that he has considered the safety and the best interests of the people that survived the attack on 9/11 in New York City, the most densely populated area in our country.

In 2005, 2006, this Congress considered these issues—and I would submit gave it better consideration than our current Attorney General—and when the Bush administration had formulated a military tribunal system without the input from Congress, it was struck down, and rightfully so. So Congress got involved. Now we have the Military Commissions Act that was passed in 2006.

The Obama administration did not like the term applied to the enemy combatants that were captured on the battlefield around the world who had made efforts and participated in the murder and destruction of American lives and American property. So, the way that bill was amended, it now reads "any alien unprivileged enemy belligerent is subject to trial by military commission as set forth in this chapter."

You have to look back.

Alien. The term "alien" means an individual who is not a citizen of the United States. You look at unprivileged enemy belligerent. The term "unprivileged enemy belligerent" means an individual other than a privileged belligerent who, A, has engaged in hostilities against the United States or its coalition partners; B, has purposefully and materially supported hostilities against the United States or its coalition partners; or C, was a part of al Qaeda at the time of the alleged offense under this chapter.

The term "hostilities" means any conflicts subject to the laws of war.

As it says in 948(h), Military commissions under this chapter may be convened by the Secretary of Defense or by any officer or official of the United States designated by the Secretary for that purpose. Unfortunately, the Attorney General has elected to bring self-confessed terrorists to New York City.

I did want to walk people through what it takes to prepare a case for trial from a judge's standpoint, from a logistical standpoint. All evidence has to be transported by different individuals, whoever may have it, to the courthouse so it can be used as evidence there—sometimes it's held in different places—but eventually to the courthouse. Normally you have to keep a very careful chain of custody on any evidence, but unfortunately, this is from a battlefield where in order to get the official chain of custody started, our soldiers in harm's way would have to walk out in the middle of hostilities—perhaps there are bullets flying—and say, "Time out. I want to gather evidence that we may need to use some day in a civilian court because we have a President or Attorney General who wants me to go out in harm's way and gather fingerprint, the forensic evidence that may be used in establishing the chain of custody, never mind that it may get me killed trying to gather such evidence forensically on a battlefield," which we have never done before. It's never been necessary because people who were leaders in this country knew enough about the history of the country to avoid putting our men and women at additional risk in order to try people who wanted to kill us and destroy our way of life into a civil court, a civilian court. It just hasn't been done. It was not appropriate.

Now this is an unusual war, of course, because although the individuals who have planned, participated in killing American citizens through the 9/11 terrorist attacks, they declared war on us but we didn't officially declare war on them because they're not actually a country, which makes it more difficult. But make no mistake, war has been declared on the United States, and either we respond by fighting back in this war or the war with terror goes on from the terrorists until they win. It becomes a very one-sided war until eventually we either lose the country out of fear or terror or the American citizens decide, Gee, the risk is so great, let's just make our President king and go to a dictatorship because so often in history, people prefer a dictatorship or a king or a Caesar if they can assure that they're going to be better protected.

That is why I decided since it didn't appear that the best of judgment had been used in wanting to bring terrorists who said they participated and planned the 9/11 attacks—they just hoped to kill a lot more than 3,000 people and perhaps had hoped to kill tens of thousands of people if the buildings had collapsed sooner—it seems to me we needed to fix this.

So we are working on the language—hope to file it tomorrow, no later than Thursday—that will make this mandatory: that any alien unprivileged enemy belligerent shall be exclusively subject to trial by military commission as set forth in this chapter, words along that line, so that it is not an option for people who do not understand the risk to which they put American citizens.

Once you gather the evidence, once you have the terrorists in New York City, I would expect that is probably strategically when the defense attorneys would file a motion to change venue. Of course, the terrorists may want to keep it in New York City even though they might allege they couldn't get a fair trial because perhaps every single person in New York City eligible for jury duty might have heard about 9/11 and may have drawn opinions about what happened that day, it is a better place for terrorists to remain and be held and drag out a very long, sustained trial. Because as you find if you have been around the judicial system, if a defendant has access to tremendous amounts of money, then you can expect them to call expert after expert after expert. And yes, Federal judges can rein in the number of experts, but if they're creative enough, they may be able to come up with enough experts to drag this thing out.

And, of course, we have the rules in Federal court as State courts as well that the judge has to be the gatekeeper of what experts will be allowed to testify. They have to be found to be competent in the area to which they are going to testify. And so the judge may have weeks and weeks and weeks of hearings on whether an expert will be allowed to testify. There may be weeks and weeks and weeks of hearings regarding change of venue evidence and whether the case should be transferred, and if so, where it could be transferred where a fair trial could be had.

Amazing, but some of these things I do not believe got adequate consideration before action was taken.

So we have terrorists who are going to be brought to New York, perhaps some to Illinois. As they're awaiting trial, the thing gets dragged out, perhaps the friends of the terrorists—because we know people can get into this country illegally. We know people have come in legally, overstayed their visas, and we are not enforcing visa terminations adequately. So they could have friends here illegally. They could have people here legally. But you can bet they are going to be testing out the adequacy of the court system in which their terrorist buddies are being tried. And having read the pleading by Khalid Sheikh Mohammed that they intend to terrorize us, they intend to defeat us, to destroy us, then their friends will be looking for such a way to do that.

What better way than in the most densely populated area in this country to have some terrorist threats go on? And what you normally have when the

terrorist threats go on is evacuations, and that's when it is extremely helpful to have a community organizer in the White House because you will need lots of community organization in order to adequately evacuate massive areas of the most densely populated area in America, as the threats will likely be coming.

I have seen them happen in my own courthouse when I was a judge. I normally didn't evacuate. I had that luxury since I could order the deputies to leave me alone. But you will have those types of things.

Can we be sure that there will not be a truck, a vehicle, loaded with explosives to perhaps commit some act of terrorism in one of the tunnels? Or a vehicle. You could have a number of vehicles coming through the tunnel, coming across the bridges, loaded with explosives. Things to instill fear in the minds of American citizens.

□ 2000

Apparently these terrorists enjoy seeing Americans flee in fear. We have had an evacuation here a couple of times since I have been in Congress. My brother called after the first time since I have been here and said, I didn't see you running out of the Capitol on video. I said, Perhaps that is because I was the last one out. I would rather be killed by a terrorist than to have them see legislators running in fear because there is some terrorist threat to the Capitol. Just take me out. I know where I am going when this life is over, so I am not terribly worried about what happens in the interim.

Back to the trial. Those kinds of acts, those kinds of threats could normally be expected during the course of a trial. And as the trial goes on, you think about the jailers who are maintaining a watch on the terrorists in New York City. Think about their families. Maybe their immediate family, their wife, their children, or if it is a female, their husband and their children. Think about perhaps even their mother or father, siblings. Who will be safe, because you know as much research as went in so carefully to the planning and the destruction of the World Trade Centers, that planning will likely go into the next terrorist attack, and what better time than when terrorists are on trial in New York, because to their warped, distorted way of thinking, what a great time to be blown up with all of these infidels surrounding them in New York City—infidels to them, innocents who deserve protection to the rest of us.

So as you get through the trial, you have not only the jailers, you have bailiffs, you have jailers who transport them. You have people working on the vehicles that will transport them. You have people working on perhaps air cover and working on the aircraft that will provide air cover, if any. You will have people who will be in those vehicles and aircraft. You have people all along the way, and every single person

is a potential link that may be exploited by terrorists, either of their families or of those individuals, because these individuals intend to scare us and to show that we can do them no harm, but they can sure scare us. So what better opportunity.

During the course of the trial, of course, it is a daily thing to transport prisoners back and forth from the courtroom. You have people all over the courthouse. It may be more restricted during the trial, but it is really difficult to restrict the ongoing business in New York City. And especially since, as I read, the Attorney General says they intend to have them brought in Manhattan in the Southern District of New York, to Manhattan itself. Unbelievable. Unbelievable.

So there are a lot of people who are at risk, including the people in New York City. And in case someone, Mr. Speaker, is tempted to think, "Well, this is 2009; that occurred September of 2001. I am sure those people have gotten over the panic, the fear, the trauma, the tragedy of that horrible day on 9/11," well, you don't have to go very far back and recall the insensitivity of this administration in having Air Force One fly over New York, accompanied by a fighter jet, which caused a sheer panic, as some may have seen on YouTube, among citizens in New York because they thought it is happening again and a fighter may have to shoot down Air Force One. It was unbelievable insensitivity, and as some may recall, at least one person lost their job over it.

It won't take much to start the panic all over again. The insensitivity is just amazing, just amazing.

So we are told, in addition, not only should we bring these terrorists to New York City, the most densely populated area in the country, but we should keep in mind that we are one of the largest Muslim Nations in the world, that we are not a Christian Nation.

I can't help but in this hallowed Hall, this incredible historic building, go back to the painting of George Washington down the hall as he extended his resignation, and the end of it, the resignation, after he had won the revolution, as he resigned, which was something which had never before or since been done in the history of mankind, lead a revolution and military, win, and then just go home after you did your job. Washington was an extraordinary man.

At the end of his resignation, he says, "I now make it my earnest prayer"—that's right, prayer—"that God would have you and the State over which you preside, in his holy protection, that he would incline the hearts of the citizens to cultivate a spirit of subordination and obedience to Government, to entertain a brotherly affection and love for one another, for their fellow citizens of the United States at large, and particularly for their brethren who have served in the field," which is what we just did on Veterans Day. These are

Washington's own words that he wrote in his resignation at the end. "And finally, that he would most graciously be pleased to dispose us all, to do justice, to love mercy, and to demean ourselves with charity, humility and pacific temper of mind, which were the characteristics of the divine author of our blessed religion, and without an humble imitation of whose example in these things, we can never hope to be a happy Nation."

And he signed, "I have the honor to be with great respect and esteem Your Excellency's most obedient and very humble servant, George Washington."

That was our first President, our first Commander in Chief. Those were his words. That is what he thought. He thought we had a divine author of our blessed religion. He didn't know what our current President knows, apparently.

Out here we have a painting right outside, a massive painting of the Constitutional Convention. After nearly 5 weeks of accomplishing virtually nothing, Benjamin Franklin, 80 years old, about 2 and a half years away from meeting his maker, brilliant, witty, charming, quite the man, stood up and he was recognized.

He said we have been going for nearly 5 weeks. We have more noes than ayes know. He said, "In this situation of this assembly," and we know these were his words taken by James Madison, "groping as it were in the dark to find political truth, and scarce able to distinguish it when presented to us, how does it happen, sir, that we have not hitherto once thought of humbly applying to the Father of Lights to illuminate understanding? In the beginning contest with Great Britain, when we were sensible of danger, we had daily prayer in this room for the divine protection. Our prayers, sir, were heard and they were graciously usually answered."

"All of us who were engaged in the struggle must have observed frequent instances of a superintending providence in our favor. To that kind of providence we owe this happy opportunity of consulting in peace on the means of establishing our future national felicity. And have we now forgotten that powerful friend? Or do we imagine we no longer need his assistance?"

See, this was during the founding, the creation of the Constitution. The Founders felt like it was okay to pray to God for divine protection and they were not worried if that insulted someone because it is what they believed.

Franklin stated, "All of us who were engaged in the struggle must have observed frequent instances of a superintending providence in our favor." He believed God was answering our prayers.

Anyway he goes on and says, "I have lived, sir, a long time, and the longer I live, the more convincing proofs I see of this truth—that God governs in the affairs of men. And if a sparrow cannot

fall to the ground without his notice, is it probable that an empire can rise without his aid? We have been assured, sir, in the sacred writing, that 'except the Lord build the house, they labor in vain that build it.'

"Firmly believe this," Benjamin Franklin said. He went on and said, "I also believe that without his concurring aid we shall succeed in this political building no better than the Builders of Babel. We shall be divided by our little partial local interest; our projects will be confounded, and we ourselves shall become a reproach and bye word down to future ages. I therefore beg leave to move that henceforth prayers imploring the assistance of Heaven, and its blessings on our deliberations, be held in the assembly every morning."

It was seconded and unanimously adopted. From that day to this, we do not begin in this Chamber, or prior when the Congress met in other chambers, we don't meet without starting with prayer, without apologies.

You go on to Abraham Lincoln, one of the greatest theological discussions, and this came from a man who basically was self-educated, well read, self-taught, voracious reader, but he loved reading the Bible. He believed in God as indicated throughout his writings. And as he tried to reconcile the horrible, bloody Civil War that had gone on, profound words he wrote. As he wrestled—you can feel the inner conflict in himself when he tries to reconcile the North and South fighting, brother against brother, family member against family member—he said these words that are inscribed on the north side of the Lincoln Memorial, "Both read the same Bible and prayer to the same God, and each invokes His aid against the other. It may seem strange that any men should dare to ask a just God's assistance in wringing their bread from the sweat of other men's faces, but let us judge not, that we be not judged. The prayers of both could not be answered. That of neither has been answered fully. The Almighty has His own purpose. 'Woe unto the world because of offenses; for it must needs be that offenses come, but woe to that man by whom the offense cometh.'

"If we shall suppose," Lincoln said "that American slavery is one of those offenses which, in the providence of God, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He gives to both North and South this terrible war as the woe due to those by whom the offense came, shall we discern therein any departure from those divine attributes which the believers in a living God always ascribe to Him?"

"Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away."

□ 2015

Lincoln continued: "Yet, if God wills that it continue, until all the wealth piled by the bondman's two hundred

and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said 'the judgments of the Lord are true and righteous altogether.'

"With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the Nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations."

"To bind up the Nation's wounds"? Does anyone think that we do that by bringing terrorists back to instill more terror in an area where the wounds have not yet been bound up and have not yet healed? It's a terrible mistake being made. A terrible mistake being made. And it may gain some knowing nods and smiles at some international cocktail party where members of this administration may go and say, see, we brought terrorists back to New York City, back to the most densely populated area. We inflicted upon ourselves even more terror. Aren't we wonderful? Self-flagellation, aren't we great? We beat ourselves up. Don't you love us?

We've seen there is no appreciation in the world when the United States hurts itself either by spending too much money or by opening its doors to terrorists who want to destroy our way of life and we do nothing about it until it's too late.

We're dealing with the PATRIOT Act. And I've had severe concerns about the national security letters when we found out that they were being abused under Director Mueller's watchful eye. But it needs to be reauthorized. There needs to be greater oversight than there was. There have been corrections made, but there are some protections in that act that have afforded us the ability to stay without a major terrorist attack for 8 years. This is no time to open ourselves up to additional terror by bringing terrorists on our soil, potentially allowing them to go free on our soil, potentially allowing them to go free anywhere.

They declared war. The tradition and the history of mankind is when you are from a group that declares war on another people, another country, and you're captured, you remain captured. You remain a prisoner until such time as your friends cease the war. And there is no intent to cease the war on behalf of the terrorists, as we have seen.

There are those who think that this administration is trying to create a situation where there is more damage and destruction financially, perhaps, through terrorists so they have to declare martial law and take over. I don't believe that for a moment. I just think there is a terrible lapse in judgment that may allow those things to happen.

But you go back to Thomas Jefferson. He said, "The natural progress of things is for liberty to yield and government to gain ground." You had John Adams, who said, "Property must be secured or liberty cannot exist."

We helped secure property when we kept the terrorists who want to destroy our way of life off of American soil over in the Middle East and then in the last 2 or 3 years at Guantanamo Bay.

Of course, Washington said, "Government is not reason. It is not eloquence. It is force. Like fire, it is a dangerous servant and a fearful master."

Of course, Abraham Lincoln went on to say, "We have been the recipients of the choicest bounties of heaven." Lincoln went on and he said, "We have grown in numbers, wealth, and power as no other nation." Lincoln finished his comment by saying, "But we have forgotten God."

We are creating self-inflicted wounds and it's time to stop. And hopefully we will have enough people on both sides of the aisle who will sign on to this bipartisan bill. I'm hoping it will be very bipartisan because Congress, as I have already read, has the obligation to set up all the courts inferior to the Supreme Court to set out their jurisdiction, set out their venue in the collective wisdom of this place.

And if we have a Chief Executive who's not aware of the coming damage and destruction that may occur by bringing people to the most densely populated area in the country in which to try them and have their friends try to destroy the trial itself, then it is the duty of this body to step up and say, you know, hey, under the Constitution this is our job. We're supposed to create the courts so you know where to try them. And we're going to eliminate the choice that you now have so that you put them in the right place. That's what should be done. That's what we need to pass. That's what the Congress was supposed to do according to the Constitution.

But we have already seen this year when Congress punted and when the Supreme Court punted. And so unelected, unconfirmed people meeting in secret as part of the White House decided what businesses would fall in the auto business, what would gain. They destroyed all the years of bankruptcy law, all the incredible wisdom that came together in the bankruptcy law, and turned it upside down.

Secured creditors were treated like dirt. Unsecured creditors were catapulted, because it involved unions, to the top. Turned the law upside down.

Well, that shouldn't have been allowed to stand. The Founders wanted us to step up and utilize the power that they gave this body. So you had dealerships, and in some places they had borrowed millions of dollars to buy the dealership, and all of a sudden some people that didn't even own cars were saying, you know what, close their dealership, maybe even give it to somebody down the road. And those people

were left owing their banks the money they borrowed because some unelected, unconfirmed bureaucrat said this is the way we're going to do it. Oh, yes, well, of course, they did have to run into a lazy bankruptcy court's judge. Maybe he's not lazy; maybe he's just ambitious, who would sign off on that and give it the color of law.

But some may not know bankruptcy judges have to stand for reappointment, and many bankruptcy judges hope that they will invoke the favor of a President who will elevate them to a Federal district bench for life rather than on the bankruptcy court. And that has happened before many, many times.

But Congress stood mute and let the Constitution be turned upside down, let the laws that this body passed be turned upside down. So then the last hope of all the checks and balances put in place by our Founders was the Supreme Court. And Justice Ruth Bader Ginsberg, to her credit, put a 24-hour hold on that fiasco, that abomination under the laws of the United States and the Constitution. But she withdrew it, or it died at the end of the 24 hours, and all checks and balances on power were avoided, and we did exactly what the Founders hoped would never happen: we ignored the power of all the different branches so that one unelected, unappointed group could just run things as they wanted.

We can't let that type of action happen again here. We created the military commissions in this Congress under our authority of the Constitution. It is our obligation as a Congress to step in and protect the people of New York from the terrorism that will in all likelihood flow. And if you don't believe it, then go read the unclassified pleading filed by Khalid Sheikh Mohammed. If you don't believe that they mean harm, then you can check out the accounts of what goes on at Guantanamo.

What we have seen, found out in trips to Guantanamo Bay, shows that these guys are being treated better than prisoners I've ever seen in State or Federal prison in Texas and in other Federal prisons in the country, maximum security prisons, that is. They're fed well. They get several hours a day outside. They are given movie hours to watch movies.

In fact, one of the biggest problems at Guantanamo is not for the prisoners but comes from the prisoners. They are so brilliant and innovative, they figure out ways to throw urine and feces on our guards. But the standing order at Guantanamo, as told by the commander to me, the standing order is whoever has urine or feces thrown on them from one of the inmates may go and shower and change and take the rest of the day off. But to my knowledge, nobody has taken the rest of the day off. They go shower, clean up, and then they come back to duty.

I was told that there was one service-member who, from having feces thrown

on him, actually lost his temper and yelled at the inmate, and for that he received an article 15 punishment for losing his temper after he had body excrement thrown on him.

When I have tried to find out if there wasn't some way to punish the prisoners who commit those types of assaults on our guards, I'm told that because there are so many international visitors, including Red Cross or whatever groups, come, Amnesty International, the groups that come, they come often enough that the people at Guantanamo did not want for these groups to come and find they put somebody in solitary confinement, despite the physical assaults. So there is no real punishment that is inflicted upon inmates that commit assaults on guards.

But, in fact, they may take a couple of their 4 hours of movie watching away; and if it's a bad enough assault on one of our guards, they may take away some of their time outside, which the inmates enjoy, of course, very much, and they get more of than most any prison that I've been to, maximum security prison.

□ 2030

A maximum security prison, that is what we are dealing with in Guantanamo. People are well taken care of. But they are dangerous, and they want to destroy our way of life. And until their buddies declare that the war is over, we ought to continue to maintain them and keep them locked up away from American soil. And if the administration is absolutely intent on trying them before their buddies cease this war upon America, then it ought to be before a military commission, as Congress created in 2006 and has been amended even this year at the request of this administration.

So that's why I'm going to be filing a bill and asking, Mr. Speaker, colleagues on both sides of the aisle to please join in. Let's protect the families of victims of 9/11 in New York from having to endure this insufferable blow of having smirking, happy terrorists come to New York and gloat over this destruction and death they caused there. They do not deserve to gloat over the deaths and destruction they brought to New York City. They do not deserve to gloat over the destruction and death in Washington, D.C.

They deserve to be kept confined for the rest of their natural lives, but at least until their buddies say they are no longer at war, and they all give up, and then we can pound our swords into plowshares. Until that time, this body owes a duty to American citizens to protect it, to see that the administration doesn't subject it to unnecessary harm.

So with that, Mr. Speaker, I will yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. YOUNG of Florida (at the request of Mr. BOEHNER) for from 2 p.m. until 3:15 p.m. today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

ENROLLED BILLS SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 955. An act to designate the facility of the United States Postal Service located at 10355 Northeast Valley Road in Rollingbay, Washington, as the "John 'Bud' Hawk Post Office."

H.R. 1516. An act to designate the facility of the United States Postal Service located at 37926 Church Street in Dade City, Florida, as the "Sergeant Marcus Mathes Post Office".

H.R. 1713. An act to name the South Central Agricultural Research Laboratory of the Department of Agriculture in Lane, Oklahoma, and the facility of the United States Postal Service located at 310 North Perry Street in Bennington, Oklahoma, in honor of former Congressman Wesley "Wes" Watkins.

H.R. 2004. An act to designate the facility of the United States Postal Service located at 4282 Beach Street in Akron, Michigan, as the "Akron Veterans Memorial Post Office".

H.R. 2215. An act to designate the facility of the United States Postal Service located at 140 Merriman Road in Garden City, Michigan, as the "John J. Shivnen Post Office Building".

H.R. 2760. An act to designate the facility of the United States Postal Service located at 1615 North Wilcox Avenue in Los Angeles, California, as the "Johnny Grant Hollywood Post Office Building".

H.R. 2972. An act to designate the facility of the United States Postal Service located at 115 West Edward Street in Erath, Louisiana, as the "Conrad DeRouen, Jr. Post Office".

H.R. 3119. An act to designate the facility of the United States Postal Service located at 867 Stockton Street in San Francisco, California as the "Lim Poon Lee Post Office".

H.R. 3386. An act to designate the facility of the United States Postal Service located at 1165 2d Avenue in Des Moines, Iowa, as the "Iraq and Afghanistan Veterans Memorial Post Office".

H.R. 3547. An act to designate the facility of the United States Postal Service located at 936 South 250 East in Provo, Utah, as the "Rex E. Lee Post Office Building".

SENATE ENROLLED BILLS SIGNED

The Speaker announced her signature to enrolled bills of the Senate of the following titles:

S. 748. An act to redesignate the facility of the United States Postal Service located at 2777 Logan Avenue in San Diego, California, as the "Cesar E. Chavez Post Office".

S. 1211. To designate the facility of the United States Postal Service located at 60 School Street, Orchard Park, New York, as the "Jack F. Kemp Post Office Building".

S. 1314. An act to designate the facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon, as the "Dr. Martin Luther King, Jr. Post Office".

S. 1825. An act to extend the authority for relocation expenses test programs for Federal employees, and for other purposes.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 32 minutes p.m.), the House adjourned until tomorrow, Wednesday, November 18, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4659. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Tomatoes From Souss-Massa-Draa, Morocco [Docket No.: APHIS-2008-0017] (RIN: 0579-AC77) received November 6, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4660. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Ulocladium oudemansii (U3 Strain); Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2008-0760; FRL-8436-6] received October 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4661. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Certain Polyurethane Polymer; Tolerance Exemption [EPA-HQ-OPP-2009-0478; FRL-8796-3] received November 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4662. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Methamidophos; Tolerance Actions [EPA-HQ-OPP-2007-0261; FRL-8796-1] received November 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4663. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pesticide Inert Ingredients; Revocation of Tolerance Exemption for Sperm Oil [EPA-HQ-OPP-2007-1125; FRL-8350-6] received November 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4664. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Competition Requirements for Purchases from Federal Prison Industries (DFARS Case 2008-D015) (RIN: 0750-AG03) received November 2,

2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4665. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Steel for Military Construction Projects (DEFARS Case 2008-D038) (RIN: 0750-AG16) received November 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4666. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Senior DoD Officials Seeking Employment with Defense Contractors (DFARS Case 2008-D007) (RIN: 0750-AG07) received November 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4667. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Pilot Program for Transition to Follow-On Contracting After Use of Other Transaction Authority (DFARS Case 2008-D030) (RIN: 0750-AG17) received November 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4668. A letter from the Deputy Secretary of Defense, Department of Defense, transmitting authorization of 19 officers to wear the authorized insignia of the grade of brigadier general, pursuant to 10 U.S.C. 777; to the Committee on Armed Services.

4669. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2008-0020; Internal Agency Docket No. FEMA-8097] received October 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4670. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Dominican Republic pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

4671. A letter from the Secretary, Department of Education, transmitting the Department's final rule — American Recovery and Reinvestment Act of 2009 (ARRA); Title 1, Part A of the Elementary and Secondary Education Act of 1965, as Amended (ESEA); Part B, Section 611 of the Individuals With Disabilities Education Act (IDEA) [Docket ID: ED-2009-OESE-0011] (RIN: 1819-AB05) received November 6, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

4672. A letter from the Secretary, Department of Education, transmitting the Department's final "Major" rule — General and Non-Loan Programmatic Issues [Docket ID: ED-2009-OPE-0005] (RIN: 1840-AC99) received November 6, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

4673. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for Fluorescent Lamp Ballasts (Stand-by Mode) [Docket No.: EERE-2008-BT-TP-0007] (RIN: 1904-AB77) received November 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4674. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — HIPAA Administrative Simplification: En-

forcement (RIN: 0991-AB55) received November 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4675. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled "FDA Amendments Act of 2007 Section 904: Communicating to the Public on the Risks and Benefits of New Drugs"; to the Committee on Energy and Commerce.

4676. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Clean Air Interstate Rule [EPA-R03-OAR-2009-0034; FRL-8975-2] received October 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4677. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Corrections to the Arizona and Nevada State Implementation Plans [EPA-R09-OAR-2009-0435; FRL-8976-3] received October 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4678. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, California Air Resources Board Consumer Products Regulations [EPA-R09-OAR-2009-00353; FRL-8979-9] received October 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4679. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Northern Sierra Air Quality Management District and San Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2009-0371; FRL-8970-6] received October 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4680. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Lead; Amendment to the Opt-out and Recordkeeping Provisions in the Renovation, Repair, and Painting Program [EPA-HQ-OPPT-2005-0049; FRL-8795-9] (RIN: 2070-AJ55) received October 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4681. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Priorities List, Final Rule No. 48 [EPA-HQ-SFUND-2009-0062, EPA-HQ-SFUND-2009-0066, EPA-HQ-SFUND-2008-0584; FRL-8977-5] (RIN: 2050-AD75) received November 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4682. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's final rule — Fair Credit Reporting Affiliate Marketing Regulations; Identity Theft Red Flags and Address Discrepancies Under the Fair and Accurate Credit Transactions Act of 2003 (RIN: 3084-AA94) received November 6, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4683. A letter from the Under Secretary of Defense, Department of Defense, transmitting notice that the Department's Fiscal Year 2009 Agency Financial Report will be published electronically; to the Committee on Oversight and Government Reform.

4684. A letter from the Management Analyst, Regulatory Products Division, Department of Homeland Security, transmitting

the Department's final rule — Commonwealth of the Northern Mariana Islands Transitional Worker Classification [CIS No. 2459-08; DHS Docket No. USCIS-2008-0038] (RIN: 1615-AB76) received October 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4685. A letter from the Management Analyst, Regulatory Products Division, Department of Homeland Security, transmitting the Department's final rule — Application of Immigration Regulations to the Commonwealth of the Northern Mariana Islands [EOIR Docket No.: 169 AG Order No. 3120-2009] (RIN: 1125-AA67) received November 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4686. A letter from the Clerk of the House of Representatives, transmitting annual compilation of financial disclosure statements of the members of the board of the Office of Congressional Ethics, pursuant to Rule XXVI, clause 3, of the House Rules; (H. Doc. No. 111—76); to the Committee on Standards of Official Conduct and ordered to be printed.

4687. A letter from the Chief, Publications and Regulations Branch, Department of Treasury, transmitting the Department's final rule — LMSB Division Director Memorandum — Industry Director Directive IDD U.S. Outer Continental Shelf Activity [LMSB-4-0909-037] received November 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CARDOZA: Committee on Rules. House Resolution 908. A resolution providing for consideration of the bill (H.R. 2781) to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in Oregon, as components of the National Wild and Scenic Rivers System, and for other purposes (Rept. 111—339). Referred to the House Calendar.

Ms. PINGREE of Maine: Committee on Rules. House Resolution 909. A resolution providing for consideration of the bill (H.R. 3791) to amend sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974, and for other purposes (Rept. 111—340). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DENT:

H.R. 4083. A bill to suspend temporarily the duty on polyoxethylene-alkyletherphosphate; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 4084. A bill to suspend temporarily the duty on alkylated amino resin solution, formaldehyde; to the Committee on Ways and Means.

By Mr. THOMPSON of California (for himself, Mr. DOGGETT, Mr. CAMP, Mr. TIBERI, Mrs. BONO MACK, Ms. ESHOO, Mr. HONDA, Ms. GIFFORDS, Mr. MCCAUL, Mr. SMITH of Texas, Mr. MEEKS of New York, Mr. CARTER, Ms. LINDA T. SANCHEZ of California, Mr. SCHAUER, and Ms. ZOE LOFGREN of California):

H.R. 4085. A bill to amend the Internal Revenue Code of 1986 to allow an investment

credit for property used to fabricate solar energy property, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIRK:

H.R. 4086. A bill to require that certain conditions be met before the transfer of an individual detained at Naval Station, Guantanamo Bay, Cuba; to the Committee on Armed Services.

By Mr. NUNES (for himself, Mr. CONAWAY, and Mr. REHBERG):

H.R. 4087. A bill to extend temporarily the suspension of duty on nylon woolpacks used to package wool; to the Committee on Ways and Means.

By Mr. CARTER (for himself, Mr. PETRI, Mr. CONNOLLY of Virginia, Mr. RUPPERSBERGER, Mr. HUNTER, Mr. ROE of Tennessee, Ms. MCCOLLUM, Mr. RYAN of Wisconsin, Mr. COLE, Ms. BALDWIN, Mr. KIND, Mr. DOYLE, Mrs. BIGGERT, Ms. FALLIN, Mr. DONNELLY of Indiana, Mr. HOLDEN, Mr. ELLISON, Mr. CONAWAY, Ms. ROS-LEHTINEN, Mr. OLSON, Mrs. LUMMIS, Mr. PIERLUISI, Mrs. BLACKBURN, Ms. CHU, Mr. EDWARDS of Texas, Mr. MCCAUL, Ms. NORTON, Ms. GRANGER, Mr. THORNBERRY, Mrs. McMORRIS RODGERS, Mr. NEUGEBAUER, Mr. FRANKS of Arizona, Mr. BRADY of Texas, Mr. SMITH of Texas, Mr. DAVIS of Tennessee, Mr. KING of New York, Mr. WESTMORELAND, Mr. WAMP, Mr. BROWN of Georgia, Mr. AL GREEN of Texas, Mr. CANTOR, Mr. PRICE of Georgia, Mr. LAMBORN, Mr. HENSARLING, Mr. GOHMERT, Mr. KING of Iowa, and Mr. DAVIS of Kentucky):

H.R. 4088. A bill to ensure that the members of the Armed Forces and civilian employees of the Department of Defense who were killed or wounded in the shootings at Fort Hood are treated in the same manner as members who are killed or wounded in combat zones or civilian employees who are killed or wounded in a terrorist attack or while serving with the Armed Forces in a contingency operation; to the Committee on Armed Services, and in addition to the Committees on Ways and Means, Oversight and Government Reform, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COSTA (for himself, Ms. KAPTUR, Mr. MOORE of Kansas, Ms. HIRONO, Mr. ABERCROMBIE, Mr. MCNERNEY, Mr. RYAN of Ohio, Mr. TERRY, and Ms. SUTTON):

H.R. 4089. A bill to create and extend certain temporary district court judgeships; to the Committee on the Judiciary.

By Mr. DAVIS of Illinois (for himself, Mr. LEWIS of Georgia, and Mr. TIBERI):

H.R. 4090. A bill to amend the Internal Revenue Code of 1986 to modify the rate of the excise tax on investment income of private foundations, and for other purposes; to the Committee on Ways and Means.

By Mr. DELAHUNT (for himself, Mr. GOHMERT, Mr. JOHNSON of Georgia, Mr. FRANKS of Arizona, Mr. MORAN of Virginia, Mr. CAO, Mr. HASTINGS of Florida, Mr. MCCAUL, Mrs. DAVIS of California, Mr. SCHIFF, Mr. DANIEL E. LUNGREN of California, Mr. PIERLUISI, Ms. BALDWIN, Mr. DAVIS of Alabama, and Mr. FRANK of Massachusetts):

H.R. 4091. A bill to amend titles 18 and 28 of the United States Code to provide incen-

tives for the prompt payments of debts owed to the United States and the victims of crime by imposing late fees on unpaid judgments owed to the United States and to the victims of crime, to provide for offsets on amounts collected by the Department of Justice for Federal agencies, to increase the amount of special assessments imposed upon convicted persons, to establish an Enhanced Financial Recovery Fund to enhance, supplement, and improve the debt collection activities of the Department of Justice, to amend title 5, United States Code, to provide to assistant United States attorneys the same retirement benefits as are afforded to Federal law enforcement officers, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELLAURO:

H.R. 4092. A bill to allow Americans to receive paid sick time so that they can address their own health needs, and the health needs of their families, related to a contagious illness; to the Committee on Education and Labor, and in addition to the Committees on House Administration, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MANZULLO:

H.R. 4093. A bill to authorize the Director of the Bureau of Prisons to purchase the Thomson Correctional Center in Thomson, Illinois, and for other purposes; to the Committee on the Judiciary.

By Mr. MELANCON:

H.R. 4094. A bill to prohibit insurers from canceling or refusing to renew homeowners insurance policies because of the presence of certain types of drywall in the home; to the Committee on Financial Services.

By Mr. MOORE of Kansas (for himself, Mr. TIAHRT, Mr. MORAN of Kansas, and Ms. JENKINS):

H.R. 4095. A bill to designate the facility of the United States Postal Service located at 9727 Antioch Road in Overland Park, Kansas, as the "Congresswoman Jan Meyers Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. PERRIELLO:

H.R. 4096. A bill to amend the Public Health Service Act to extend the deadlines applicable to filing petitions for compensation under the National Vaccine Injury Compensation Program; to the Committee on Energy and Commerce.

By Mr. SCHOCK (for himself, Mr. KIRK, Mr. SHIMKUS, Mr. JOHNSON of Illinois, Mrs. BIGGERT, Mr. ROSKAM, and Mr. MANZULLO):

H.R. 4097. A bill to prohibit the use of funds to transfer individuals detained by the United States at Naval Station, Guantanamo Bay, Cuba, to Thomson Correctional Center, Thomson, Illinois; to the Committee on Armed Services.

By Mr. TOWNS:

H.R. 4098. A bill to require the Director of the Office of Management and Budget to issue guidance on the use of peer-to-peer file sharing software to prohibit the personal use of such software by Government employees, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MACK (for himself and Mr. TOWNS):

H. Con. Res. 213. Concurrent resolution expressing the sense of Congress for and solidarity with the people of El Salvador as they

persevere through the aftermath of torrential rains which caused devastating flooding and deadly mudslides; to the Committee on Foreign Affairs.

By Ms. WATERS (for herself, Mr. WOLF, Ms. BORDALLO, Mrs. CHRISTENSEN, Ms. ROS-LEHTINEN, Ms. CORRINE BROWN of Florida, Ms. RICHARDSON, Mr. LEWIS of Georgia, and Ms. DeLAURO):

H. Res. 910. A resolution supporting the goals and ideals of National Alzheimer's Disease Awareness Month and National Memory Screening Day, including the development of a national health policy on dementia screening and care; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 4 of rule XXII,

220. The SPEAKER presented a memorial of the House of Representatives of the State of Tennessee, relative to House Joint Resolution No. 546 urging the Department of Veterans Affairs to Accept Rhea County's proposed donation of its old hospital building, facilities, and campus to the VA; to the Committee on Veterans' Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 205: Mrs. BONO MACK.
H.R. 211: Mr. TIERNEY and Ms. NORTON.
H.R. 333: Mr. GRAYSON.
H.R. 483: Ms. PINGREE of Maine.
H.R. 510: Mr. SCHOCK.
H.R. 537: Mr. JACKSON of Illinois, Mr. RANGEL, Mr. TIM MURPHY of Pennsylvania, and Mr. DUNCAN.
H.R. 571: Mr. NEUGEBAUER, Mr. FLEMING, and Mrs. MALONEY.
H.R. 574: Mr. FORTENBERRY.
H.R. 616: Mr. LIPINSKI and Mr. HEINRICH.
H.R. 648: Mr. BOSWELL.
H.R. 690: Mr. BARTON of Texas.
H.R. 808: Mr. GRAYSON.
H.R. 855: Mr. GRIFFITH.
H.R. 868: Mr. BISHOP of New York and Mr. VAN HOLLEN.
H.R. 948: Mr. MARSHALL.
H.R. 988: Mr. GERLACH and Mr. DAVIS of Tennessee.
H.R. 1177: Mr. CLEAVER and Mr. WESTMORELAND.
H.R. 1308: Ms. BALDWIN.
H.R. 1347: Mr. CONYERS and Mr. PAYNE.
H.R. 1362: Mr. CALVERT, Mr. STARK, and Mr. MASSA.
H.R. 1378: Mr. KAGEN, Mr. YARMUTH, Mr. WELCH, Mr. GUTHRIE, and Mr. HELLER.
H.R. 1412: Ms. SCHAKOWSKY.
H.R. 1423: Mr. NADLER of New York and Mrs. MCCARTHY of New York.
H.R. 1479: Ms. RICHARDSON.
H.R. 1520: Mrs. LUMMIS.
H.R. 1522: Mr. HILL.
H.R. 1557: Ms. KOSMAS, Mrs. BACHMANN, and Mr. FATTAH.
H.R. 1616: Mr. BAIRD.
H.R. 1707: Mr. SCHOCK.
H.R. 1718: Mr. FORTENBERRY.
H.R. 1784: Ms. KOSMAS.
H.R. 1826: Ms. SUTTON.
H.R. 1891: Mr. POSEY.
H.R. 1974: Mr. MCCOTTER.

H.R. 2068: Mr. MICHAUD.
H.R. 2103: Mr. SPRATT and Mr. BLUMENAUER.
H.R. 2112: Mr. MCGOVERN, Mr. KILDEE, Mr. OLVER, and Mr. TIERNEY.
H.R. 2149: Mr. WILSON of Ohio.
H.R. 2246: Mr. MASSA.
H.R. 2279: Mr. FILNER and Ms. SLAUGHTER.
H.R. 2296: Mr. EDWARDS of Texas.
H.R. 2298: Mr. CONYERS.
H.R. 2324: Ms. CLARKE, Mr. ANDREWS, Mr. CROWLEY, and Mr. PASCRELL.
H.R. 2360: Mr. CASTLE.
H.R. 2408: Ms. CHU.
H.R. 2452: Ms. RICHARDSON and Mr. KENNEDY.
H.R. 2480: Mr. KILDEE, Mr. BRADY of Pennsylvania, Ms. MCCOLLUM, Mr. COFFMAN of Colorado, Mr. BISHOP of New York, and Mr. JACKSON of Illinois.
H.R. 2523: Ms. RICHARDSON and Mr. CALVERT.
H.R. 2570: Ms. CHU.
H.R. 2573: Mr. HINCHEY, Mr. MCCOTTER, and Ms. TITUS.
H.R. 2598: Mr. SABLON and Mr. HOLT.
H.R. 2607: Mr. POE of Texas.
H.R. 2611: Ms. CLARKE and Ms. RICHARDSON.
H.R. 2614: Mr. COHEN.
H.R. 2628: Mr. LUCAS.
H.R. 2690: Mr. AL GREEN of Texas.
H.R. 2698: Mr. THORNBERRY, Ms. BORDALLO, Mr. COURTNEY, Mr. JOHNSON of Georgia, Mr. CHANDLER, Mr. CHILDERS, and Mr. HODES.
H.R. 2699: Ms. BORDALLO, Mr. COURTNEY, Mr. JOHNSON of Georgia, Mr. CHANDLER, Mr. CHILDERS, and Mr. HODES.
H.R. 2730: Mr. JACKSON of Illinois.
H.R. 2766: Mr. ENGEL, Mr. SMITH of Washington, and Mrs. NAPOLITANO.
H.R. 2788: Mr. CRENSHAW, Mr. MICHAUD, Mr. FOSTER, and Mrs. DAHLKEMPER.
H.R. 2799: Mr. MICA, Mr. CULBERSON, Mr. ARCURI, Mr. YOUNG of Alaska, Ms. NORTON, Mr. HERGER, and Mr. WALZ.
H.R. 2829: Mr. RANGEL.
H.R. 2840: Mr. HEINRICH.
H.R. 2849: Mr. ROTHMAN of New Jersey and Mr. PASCRELL.
H.R. 2887: Mr. PAUL.
H.R. 3017: Mr. BOCCIERI.
H.R. 3020: Mr. MURPHY of New York, Mr. MASSA, and Mr. SCHAUER.
H.R. 3053: Mr. RANGEL.
H.R. 3077: Mr. WU.
H.R. 3147: Mr. RANGEL and Ms. KAPTUR.
H.R. 3149: Ms. LORETTA SANCHEZ of California.
H.R. 3251: Mr. MILLER of Florida.
H.R. 3259: Mr. BAIRD, Mr. EHLERS, Ms. RICHARDSON, Mr. GRIJALVA, and Mrs. MCMORRIS RODGERS.
H.R. 3339: Ms. BORDALLO.
H.R. 3402: Mr. HODES.
H.R. 3431: Mr. TIM MURPHY of Pennsylvania.
H.R. 3468: Mr. CRENSHAW.
H.R. 3471: Ms. SHEA-PORTER.
H.R. 3511: Mr. SCOTT of Georgia.
H.R. 3553: Mr. HEINRICH.
H.R. 3577: Mr. WALZ, Mr. CARNEY, Ms. FUDGE, Mr. PLATTS, and Mr. BACA.
H.R. 3613: Mr. JOHNSON of Illinois, Mr. SMITH of Texas, Ms. GRANGER, Mr. BACHUS, and Mr. OLSON.
H.R. 3627: Mr. MASSA, Mr. BOUCHER, and Mr. REHBERG.
H.R. 3644: Mr. HOLT, Mr. PALLONE, Mr. HINCHEY, Mrs. MILLER of Michigan, Mr. SARBANES, Mr. INSLEE, and Mrs. NAPOLITANO.
H.R. 3646: Mr. DOYLE.
H.R. 3657: Mr. WALZ and Ms. FUDGE.

H.R. 3664: Mr. ROTHMAN of New Jersey.
H.R. 3799: Mr. MOORE of Kansas.
H.R. 3810: Mr. LIPINSKI.
H.R. 3839: Mr. SHUSTER.
H.R. 3844: Mr. BARROW.
H.R. 3852: Mrs. MALONEY, Mr. TONKO, and Mr. HINCHEY.
H.R. 3943: Mr. GERLACH, Ms. CLARKE, Mr. TAYLOR, Ms. FUDGE, Mr. DENT, Mrs. BIGGERT, Mrs. MILLER of Michigan, Mr. UPTON, Mrs. EMERSON, Mr. SCHOCK, Ms. GIFFORDS, Ms. CASTOR of Florida, Mr. TIBERI, and Mr. LANCE.
H.R. 3966: Ms. WATSON.
H.R. 3991: Mr. HINOJOSA and Mr. HOLT.
H.R. 4022: Mr. MEEK of Florida.
H.R. 4036: Ms. RICHARDSON, Mrs. CHRISTENSEN, Mr. DAVIS of Illinois, and Mrs. MALONEY.
H.R. 4047: Mr. MELANCON.
H.R. 4052: Mr. SENSENBRENNER.
H.R. 4063: Ms. BORDALLO.
H. Con. Res. 18: Mr. MCHENRY.
H. Con. Res. 40: Mr. CALVERT.
H. Con. Res. 160: Mrs. BLACKBURN, Mr. BRALEY of Iowa, and Mr. CAMPBELL.
H. Con. Res. 203: Mr. BUTTERFIELD and Ms. FOX.
H. Res. 200: Mr. POE of Texas.
H. Res. 267: Mr. CULBERSON.
H. Res. 510: Mr. KIRK, Mrs. HALVORSON, and Ms. SCHAKOWSKY.
H. Res. 771: Mr. ALTMIRE.
H. Res. 812: Mr. ADLER of New Jersey, Mr. PALLONE, and Mr. HOLT.
H. Res. 840: Mr. WOLF.
H. Res. 852: Mr. WESTMORELAND.
H. Res. 860: Ms. SCHAKOWSKY, Mr. SHULER, Ms. BERKLEY, Mr. WALZ, Mr. BLUMENAUER, Mr. MINNICK, and Mr. MOORE of Kansas.
H. Res. 861: Mr. DICKS, Mr. BISHOP of New York, Mr. MCMAHON, Mr. ADLER of New Jersey, Mr. BOCCIERI, Mr. LEE of New York, Mr. CHAFFETZ, Mr. LANGEVIN, and Ms. KOSMAS.
H. Res. 870: Mr. FRELINGHUYSEN and Mr. BUYER.
H. Res. 900: Mr. ACKERMAN, Mr. TONKO, Mr. HALL of New York, Mr. TOWNS, Mr. ARCURI, Mr. HIGGINS, Mr. MEEKS of New York, Mr. HINCHEY, Mr. TAYLOR, Mr. ABERCROMBIE, Mr. SNYDER, Mr. SMITH of Washington, Ms. LORETTA SANCHEZ of California, Mr. ANDREWS, Ms. HARMAN, Mr. CONNOLLY of Virginia, Mr. CROWLEY, Mr. WEINER, Mr. MURPHY of New York, Mr. COURTNEY, Mr. LARSEN of Washington, Mrs. DAVIS of California, Mr. LANGEVIN, Mr. ROSS, Ms. ESHOO, Mr. HEINRICH, Mr. SESTAK, and Mr. LOEBACK.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3904: Mr. HINOJOSA.

PETITIONS, ETC.

Under clause 1 of rule XXII,

80. The SPEAKER presented a petition of City of Lauderdale Lakes, Florida, relative to Resolution No. 09-98 urging the Congress of the United States to extend the first-time home buyer a tax credit under the Housing and Economic Recovery Act of 2008; which was referred to the Committee on Ways and Means.